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JOURNAL
OF THE
SENATE

OF THE
TWENTY-FOURTH GENERAL ASSEMBLY

OF THE
STATE OF IOWA,

WHICH CONVENE AT THE CAPITOL AT DES MOINES,
JANUARY 11, 1892.

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G. H. RAGSDALE, STATE PRINTER.
1892.

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SAMUEL L. BESTOW,

Chariton.

Secretary,

SAMUEL N. PARSONS,

Marion.

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<i>Second Assistant Secretary,</i>	-	-	-	-	C. F. SWIFT, Harlan.
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THE SENATE OF THE TWENTY-FOURTH GENERAL ASSEMBLY.

COUNTIES.

District.

1 Lee.....	Wm. G. Kent	Fort Madison.
2 Van Buren and Jefferson.....	B. R. Valer.....	Bonaparte.
3 Appanoose and Davis.....	E. M. Reynolds.....	Centerville.
4 Wayne and Lucas.....	L. W. Lewis.....	Seymour.
5 Union, Decatur and Ringgold.....	J. B. Harsh.....	Oreston.
6 Taylor and Adams.....		Bedford.
7 Fremont and Page.....		Farragut.
8 Mills and Montgomery.....		Malvern.
9 Des Moines.....		Burlington.
10 Washington and Henry.....		Washington.
11 Clarke and Warren.....		Oacola.
12 Poweshiek and Keokuk.....		Grinnell.
13 Wapello.....		Ottumwa.
14 Mahaska.....		New Sharon.
15 Monroe and Marion.....	T. B. Perry.....	Albia.
16 Adair and Madison.....	A. L. Hager.....	Greenfield.
17 Audubon, Dallas and Guthrie.....	H. F. Andrews.....	Audubon.
18 Cass and Shelby.....	W. F. Cleveland.....	Harlan.
19 Pottawattamie.....	Wm. Groneweght.....	Council Bluffs.
20 Muscatine and Louisa.....	J. M. Gobbler.....	Muscatine.
21 Scott.....	Wm. O. Schmidt.....	Davenport.
22 Clinton.....	S. W. Gardinetti.....	Lyons.
23 Jackson.....	Alfred Hurst.....	Maquoketa.
24 Jones and Cedar.....	J. A. Green.....	Stone City.
25 Iowa and Johnson.....	M. J. Kelly.....	Williamsburg.
26 Linn.....	John M. Terry.....	Cedar Rapids.
27 Webster and Calhoun.....	O. M. Olson.....	Fort Dodge.
28 Marshall.....	Geo. A. Turner.....	Bromley.

TWENTY-FOURTH GENERAL ASSEMBLY.

v

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.....	Des Moines.
.....	Nevada.
.....	Sioux City.
.....	Independence.
.....	Logan.
.....	Dubuque.
.....	Farmerburg.
.....	Eagle Grove.
.....	Waterloo.
.....	Parkersburg.
.....	Elgin.
.....	Polo Station.
.....	Decorah.
.....	Garner.
.....	Charles City.
.....	Belle Plaine.
.....	Le Mars.
.....	Spirit Lake.
.....	Carroll.
.....	Matlock.
.....	Storm Lake.

* Hold over, were Senators in Twenty-third General Assembly—18.

† Re-elected, were Senators in Twenty-third General Assembly—8.

‡ Were members of the House in Twenty-third General Assembly—6.

§ Elected to fill vacancy: Twenty-second district, P. B. Wolfe, resigned; Tenth district, John S. Woolson, resigned; Thirteenth district, P.

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6—Legalize incorporation and acts of Thornburg, Keokuk county.		8—Amend section 203 of Code, as amended, relative to reports of clerks of courts.	
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7—Amend section 121 of the Code relative to proposals for stationery and paper.		Enrolled.....	589
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13—For taxation of interest of lienholders in real estate.	
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14—Amend section 1288 of Code, relating to highway crossings.	
Received.....	284
Read twice and referred.....	285
Reported.....	536
15—Amend section 22, chapter 28, Acts Twenty-second General Assembly, relating to reports to board of railway commissioners.	
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22—Legalize incorporation of College Springs and acts and ordinances thereof.	
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23—Amend chapter 15, Acts Twenty-third General Assembly, relative to special taxes for improvement of streets in cities under special charter.	
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24—To more definitely designate State Board of Examiners, as created by chapter 104, Laws Twenty-second General Assembly.	
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33—To change the rule as to burden of proof in actions grounded on negligence.	
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42—Defining qualifications of county superintendent of schools.	
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56—Amend section 996 of Code, relative to meeting of township trustees.	
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Read twice and referred.....	359
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59—Amend chapter 54, acts Sixteenth General Assembly, relative to construction of sewers in cities under special charters.	
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64—Legalize incorporation and official acts of council and officers of Alta, Buena Vista county.	
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67—Amend section 1560 of Code, relating to exemptions to fire companies.	
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69—Legalize acts of incorporated town of Green, Butler county.	
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73—Amending sections 11 and 12, chapter 14, laws Twenty-third General Assembly.	
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79—Legalize sale of certain land in Lucas county and authorize patent to issue.	
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82—To regulate the liability of insurers against loss or damage by fire or lightning.	
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83—Change name of Iowa Institution for Education of Deaf and Dumb to Iowa School for Deaf.	
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Considered and passed.....	688
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86—Amending chapter 134, acts Twenty-first General Assembly, to increase number of judges in fourth judicial district.	
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88—Amend chapter 185, acts of Twentieth General Assembly, as amended, relative to inspection of coal oil.	
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92—Substitute for appropriation for State Normal School at Cedar Falls.	
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95—Protect persons and property from danger from steam engines on public highways.	
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102—Committee substitute for H. F. 30. Prevent and punish prize fighting.	
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103—Substitute for H. F. 40. Amending chapter 85, acts Twenty-second General Assembly.	
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106—Enact substitute for chapter 6, title 9 of Code, relative to building and loan associations.	
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Reported	518
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110—Prohibit marriage of cousins.	
Received	575
Read twice and referred	577
Reported	598
111—Requiring osage orange hedge fences along highways and and railroads to be trimmed.	
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112—Amend section 1182 of Code, exempting funds from life insurance.	
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114—Substitute for. Amending section 1720 of Code.	
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130—Amend section 3727 of Code, providing for taking depositions in certain cases.	
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139—Amend chapter 17 of acts of Twenty-third General Assembly.	
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140—Legalize extension of limits of Colfax.	
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144—Legalize acts and ordinances of council of La Porte City, Black Hawk county.	
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147—Allowing any city or town now having a superior court to abolish the same.	
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152—Committee substitute for. Provide for a geological survey of the State of Iowa.	
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159—Amending chapter 167, laws of 1882.	
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166—For relief of W. A. Shaw.	
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Enrolled	682
169—Amending chapter 31, laws of Twenty-second General Assembly, relative to change of name of railway stations.	
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181—Amend sections 289 and 290 of Code as amended, relative to bonding of county indebtedness.	
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182—Appropriation for girls' department of Iowa Industrial School at Mitchellville.	
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199—Amending chapter 97, acts Twenty-first General Assembly, relating to exemption from taxation.	
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207—Amending sections 925 and 963 of Code.	
Received.....	459
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209—Legalize electric light plant of Knoxville, ordinance for the same, and contract for city lighting.	
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210—Relating to Industrial Home for the Blind at Knoxville, to its board of commissioners and providing trustees.	
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213—Amend section 936 of Code, relative to establishment of highways.	
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215—Committee substitute for. To aid State Historical Society.	
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225—To punish crime of sodomy.	
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226—Substitute for H. F. 35. Amend section 1790 of school laws, in regard to the swearing in of school officers elect.	
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236—Provide for a more satisfactory publication of bank examinations.	
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237—Committee substitute for. Appropriation for boys' department Iowa Industrial School at Eldora.	
Received.....	585
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Enrolled.....	650
238—Repeal section 1495 of Code as amended, and enact substitute, and amend section 1508 of Code, relative to partition fences.	
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246—To prevent and punish improper use of money at elections.	
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Read twice and referred.....	577
247—Amend chapter 28, acts of Twenty-third General Assembly, relating to pools and trusts.	
Received.....	552
Read twice and referred.....	554
250—Legalize acts and ordinances of town of Charter Oak, Crawford county.	
Received.....	315
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Considered and passed.....	590
Enrolled.....	630
258—Legalizing incorporation, acts and ordinances of council and officers of town of Hospers, Sioux county.	
Received, read twice and referred.....	241
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259—Legalizing re-incorporation of Presbyterian church of Toledo, Iowa.	
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Reported.....	425
Considered and passed.....	528
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H. F.	PAGE
264—Amend sections 515 and 532 of Code, relative to appointment of marshals of cities of second class and incorporated towns.	
Received	425
Read and referred	576
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268—Legalizing incorporation of Garden Grove, Decatur county.	
Received	229
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Enrolled	309
270—Amend section 1, chapter 105, acts of Twentieth General Assembly, relative to civil rights.	
Received	488
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272—To enable judgment creditors of insurance companies to collect judgments out of assets.	
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Read twice and referred	649
275—Provide for payment of workmen in mines in money, and protect same in management and control of their own earnings.	
Received	376
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282—Committee substitute for appropriation for College for the Blind at Vinton, Iowa.	
Received	585
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Enrolled	650
286—Substitute for H. F. 116, legalize certain acts of independent school district of Table Mound, Dubuque county, relative to transfer and annexation of territory.	
Received	315
Read twice and referred	352
Reported	425
Considered and passed	591
Enrolled	650
299—Legalizing certain ordinances of town of Adel, Dallas county, and all acts of council of said town.	
Received	201
Read twice and referred	226
Reported	246
Considered and passed	257
Enrolled	309
300—Committee substitute for. Relative to officers and employes, and their duty and compensation.	
Received	552
Read and referred	554
Reported	630
304—To prevent selling or encumbering certain exempt persons' property without concurrence of both husband and wife.	
Received	540
Read twice and referred	553
320—Substitute for H. F.'s 3, 190, 192. Relating to compensation and duties of justices of the peace and constables, authorizing boards of supervisors to salary them.	
Received	540
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H. F.	PAGE
330—Substitute for H. F. 179. To abolish the office of township clerk and township trustees in certain cities.	
Received	565
Read twice and referred	576
Reported	613
From sifting committee	656
Considered and passed	672
Enrolled	696
333—Legalize incorporation of Monroe, Jasper county, election of officers and all acts and ordinances.	
Received	315
Read twice and referred	352
Reported	425
Considered and passed	501
Enrolled	630
334—Relative to dangers incident to railroad crossings on the same level.	
Received, read twice and referred	691
From sifting committee	697
342—Amending section 420 of Code, in relation to levying of a tax for use of township boards of health.	
Received	608, 636
Read twice and referred	648
357—To amend section 3950, relating to provisions in places of confinement.	
Received	597
Read twice and referred	648
From sifting committee	666
363—Substitute for H. F. 173. Amend section 2, chapter 156, laws Seventeenth General Assembly.	
Received	524
Read and referred	534
Reported	600
374—To make standard silver dollars of United States full legal tender in State of Iowa.	
Received, read twice and referred	648
379—Amend section 3, chapter 34, acts Twenty-third General Assembly, relating to preservation of game fish.	
Received	575
Read twice and referred	576
Reported	613
From sifting committee	656
Considered and lost	673
384—To apportion State into representative districts and declare ratio of representation.	
Received	641
Read twice and referred	649
Considered and passed	701
Enrolled	706
390—Substitute for H. F. 254. Enact substitute for section 24, chapter 52, laws Twenty-second General Assembly.	
Received	540
Read twice and referred	554
From sifting committee	681
393—To indemnify settlers on Des Moines river school lands and appoint a commission.	
Received	590
Read twice and referred	648
Reported	656
Committee bill substituted	662
Substitute read twice, considered and passed	662

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402—To enable inhabitants of two contiguous counties to organize city or incorporated town, and defining jurisdiction of mayors.	
Received	320
Read twice and referred.....	351
Reported.....	297
Considered and passed.....	448
Enrolled	620
404—Committee substitute for H. F. 321. Legalize formation of independent school districts of Pleasant Ridge No. 1 and North River No. 4, Warren township, Keokuk county.	
Received ..	320
Read twice, considered and passed.....	359
Enrolled	535
414—Substitute for H. F. 186. Amend chapter 151, acts of Eighteenth General Assembly, in relation to local boards of health.	
Received	508
Read twice and referred	513
Reported.....	536
From sifting committee	679
Considered and passed.....	702
Enrolled.....	705
423—Legalize town of Pierson, Woodbury county.	
Received..	524
Read twice and referred	534
Reported.....	596
From sifting committee	637
Considered and passed.....	660
Enrolled	682
427—Substitute for H. F. 391. Amend chapter 159, acts of Twentieth General Assembly, by enacting substitutes for sections 2 and 4.	
Received	402
Read twice and referred.....	413
Reported	486
Considered, substituted for S. F. 295 and passed.....	493
Enrolled.....	621
439—Substitute for H. F. 251. Amend section 1, chapter 24, acts of Twentieth General Assembly.	
Received.....	504
Read twice and referred.....	534
Reported.....	600
From sifting committee.....	678
441—Appropriation for administrator and widow of Wm. W. Belknap, deceased.	
Received	552
Read twice.....	554
Considered and passed.....	632
Enrolled.....	681
445—Legalize organization and official proceedings of independent school district of Callender, Webster county.	
Received	504
Read twice and referred.....	649
446—To legalize the incorporation of the town of Springville, the election of officers, and all acts and ordinances.	
Received	597
Read twice and referred.....	648
From sifting committee.....	650
Received.....	594
Read twice and referred.....	649
Reported from sifting committee.....	650

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457—Amend section 1, chapter 21, laws Twenty-third General Assembly.	
Received	625
Read twice and referred.....	679
Considered and passed.....	703
Enrolled.....	705
459—Amend section 9, chapter 65, acts Twenty-first General Assembly.	
Received	505
Read twice and substituted....	578
From sifting committee.....	678
Considered and passed.....	694
Enrolled.....	705
470—Legalize plat and dedication of Johnson's addition to Humboldt, formerly Springvale, Iowa.	
Received	397
Read twice and referred.....	448
Reported by sifting committee.	650
Considered and passed.....	666
Enrolled	699
471—Amend section 1132 of Code as to insurance.	
Received	524
Read twice, considered and passed ..	527
Enrolled	589
472—Substitute for H. F. 303. To authorize construction of electric railways and regulate same.	
Received	504
Read twice and referred.....	506
Reported	613
475—Legalizing revised ordinances of city of Knoxville, Iowa.	
Received	524
Read twice and referred.....	534
Reported	620
From sifting committee	650
Considered and passed.....	666
Enrolled	690
476—Committee substitute for H. F. 273 and 274. To provide for examination of mine managers and regulate their employment.	
Received ..	415
Read and referred.....	429
478—Amend section 515 of Code, giving additional police force to incorporated towns.	
Received	625
Read twice and referred.....	679
From sifting committee	681
481—For repeal of chapter 46, acts of Twenty-third General Assembly.	
Received	678
Read twice and referred.....	679
488—Legalize an election held in Decatur City and acts of electors in reviving municipal government of said town.	
Received.....	638
Read twice and referred.....	648
Reported... ..	638
From sifting committee.....	650
Considered and passed.....	667
Enrolled.....	696
489—Legalize acts of Daniel Shannon, J. P., in Platte township, Marion county.	
Received.....	584
Read twice, considered and passed	595
Enrolled.....	630

H. F.	PAGE
490—Amend section 1432 of Code, as amended, to authorize transfer of patients from one insane hospital to another.	
Received.....	544
Read twice and referred.....	550
Reported.....	600
From sifting committee.....	637
Considered and passed.....	664
Enrolled.....	690
492—To prevent keeping of places for smoking of opium.	
Received.....	658
Read twice and referred	662
494—Legalize organization of independent school district of Duncombe, Webster county, and acts of its officers.	
Received.....	597
Read twice and referred.....	648
Reported from sifting committee	650
495—Amend chapter 9, title 12 of the Code, by adding thereto.	
Received	488
Read twice, substituted for S. F. 368, considered and passed.	489
Enrolled.....	560
498—Substitute for H. F. 370. Amend chapter 16, laws Twenty-second General Assembly.	
Received	658
Read twice and referred.....	662
499—To establish a school of mines for the State of Iowa.	
Received	668
504—Legalize ordinance No. 75 of Clarinda, Iowa.	
Received	575
Read twice and referred.....	576
Reported	600
From sifting committee	637
Considered and passed.....	660
Enrolled	690
505—Legalize organization of independent school district of Nassau, Prairie township, Keokuk county.	
Received	552
Read twice and referred.....	554
From sifting committee	656
Substituted for S. F. 377, considered and passed	665
Enrolled.....	690

H. F.	PAGE
510—Legalize ordinances of town of Stanwood, Iowa.	
Received	594
Read twice and referred.....	620
Reported	620
Substituted for S. F. 378, passed.	659
Enrolled.....	690
515—Legalize ordinances of town of Breda, Iowa.	
Received	633
Read twice and referred.....	648
From sifting committee	650
Substituted for S. F. 391, considered and passed	665
Enrolled.....	690
517—Legalize ordinances of the town of Corning, Iowa, in a certain case.	
Received	638
Read twice and referred.....	647
From sifting committee	650
Considered and passed.....	667
Enrolled.....	690
578—Substitute for H. F. 482. To extend time for payment of indebtedness of orphans' asylum at Andrew, Iowa.	
Received	597
Read twice and referred.....	648
From sifting committee	666
Considered and passed.....	671
Enrolled.....	698
522—Appropriation for payment of State and judicial officers and expenses of General Assembly.	
Received	612
Read twice, considered, amended and passed	627
H. R. refuses to concur in amendments	682
Senate recedes from its amendments.....	696
Enrolled.....	705
527—To re-imburse members and heirs of the Second and Third Iowa infantry regiments for gray uniforms.	
Received	678
Read twice and referred.....	679
560—Substitute for S. F. 337. To compensate Samuel N. Parsons for services as secretary.	
Received	694
Read twice and passed.....	695
Enrolled.....	705

SCHEDULE.

Showing the bills, which as originally introduced or as modified by amendment or substitute became laws, with the numbers of the chapters respectively:

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13.	Applying chapter 58, Seventeenth General Assembly, to existing bonded indebtedness.....	17
20.	Promote historical collections at State capitol.....	56
33.	Aiding farmers' institutes.	58
35.	Relative to the pay of mayors when acting as justice of the peace	7
38.	Granting additional power to cities under special charter... ..	4
39.	For additional judge in seventh judicial district.....	55
40.	Legalize acts of board of supervisors of Wapello county.....	147
51.	Protecting breeders of trotting and pacing horses.....	67
64.	Appropriation for Hospital for Insane at Mt. Pleasant.....	89
68.	Curing defective acknowledgments	42
74.	For funding and refunding indebtedness of towns.....	14
75.	Abolish independent school district of East Cleveland... ..	75
76.	Legalize incorporation of Shelby.....	127
77.	Relief of J. P. Bushnell & Co.....	110
79.	Appropriation for Hospital for Insane at Independence.....	88
82.	For relief of union soldiers, sailors and marines.....	69
83.	Relative to funding outstanding indebtedness of cities.....	15
85.	For relief of Wilbur McCabe.....	112
93.	Appropriation for world's fair.....	81
96.	To preserve health of female employes.....	47
106.	Appropriate to Iowa State Dairy Association.....	98
112.	37
113.	For electing school subdirectors for three years.....	20
115.	To protect workingmen in forms of advertising.....	82
123.	Legalize action of school board in Ward township.....	149
124.	38
130.	Appropriate to Soldiers' Orphans' Home.....	96
132.	Collection and tabulation of statistics relative to crops and live stock.....	57
133.	Amending military Code.....	31
135.	Legalizing an ordinance of Anamosa.....	121
138.	Appropriate to Benedict Home.....	106
139.	For extermination of thistles....	45
142.	Appropriate to Institution for Feeble Minded Children.....	92
143.	Appropriate to Industrial Home for Blind.....	86
155.	Appropriate to Institution for Deaf and Dumb.....	93
156.	Locating highway on public land	74
158.	Appropriate to State University.....	104
160.	Appropriate to Agricultural College.....	84
161.	Appropriate to Soldiers' Orphans' Home.....	97
165.	Legalizing organization of city of Clinton....	138
174.	For additional judge in second judicial district.....	53
177.	Legalizing acts of board of supervisors of Madison county.....	145
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200.	Relative to maintenance of fish dams.....	46
203.	For building cottages at Soldiers' Home.....	95
208.	Relative to State Dairy Commissioner.....	50
210.	Defining residence of discharged inmate of Soldiers' Home.....	24
223.	Legalizing incorporation of Shellsburg	114
224.	To change application of chapter 14, laws of the Twenty-third General Assembly.....	12
226.	Appropriation to Hospital for Insane at Clarinda....	87
231.	Legalizing official acts of C. R. Wood.....	155
232.	Legalizing official acts of R. J. W. Bloom.....	156
237.	Authorizing Executive Council to employ Iowa State Band.....	73
260.	Providing for a State soldiers' and sailors' monument.....	70
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277.	Relative to messenger in State Library.....	60
287.	For support of Iowa weather and crop service.....	63
299.	Relative to notice to unknown defendant.....	34
305.	Legalizing ordinance of city of Clinton.	139
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317.	Appropriate to Soldiers' Home.....	94
319.	Granting additional powers to cities of second class... ..	11
324.	Legalizing franchises of C. R. Electric Light & Power Co.....	143
327.	Relative to endowment of Agricultural College.....	64
332.	Certificates and warehouse receipts.....	44
335.	Legalizing independent school district of Callender.....	154
337.	For payment of S. N. Parsons, Secretary. (See <i>House File 560</i>)..	109
344.	For printing and distributing Iowa Official Register.	64
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362.	Legalizing independent school district of Duncombe.....	150
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8.	Relative to reports of clerks of courts.....	41
15.	Report by railways to Railway Commissioners	27
17.	Legalizing incorporation of Sac City.....	133
22.	Legalizing incorporation of College Springs.....	117
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xxxv

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47.	Election of school subdirector.	19
59.	Construction of sewers in cities under special charter.	8
64.	Legalizing incorporation of Alta.	118
69.	Legalizing incorporation of Green.	131
73.	Paving, curbing and sewer contracts.	9
79.	Legalizing sale of certain land in Lucas county.	159
83.	Changing name of Institution for Deaf and Dumb.	65
86.	For additional judge in fourth judicial district.	54
88.	Concerning inspection of coal oil.	52
92.	Appropriation for State Normal School.	102
95.	Relative to steam engines on highways.	68
111.	Requiring osage orange hedge fences to be trimmed.	40
112.	Exempting from debts funds realized from life insurance.	28
139.	Amending law relative to joint rates on railroads.	25
140.	Legalizing extension of limits of Colfax.	116
144.	Legalizing ordinances of La Porte City.	115
147.	Allowing any city to abolish its superior court.	5
152.	Providing for a geological survey.	71
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169.	Amending law for change of name of railway stations.	26
177.	Appropriation for the penitentiary at Anamosa.	91
179.	Abolishing office of township clerk and township trustees in cities. (See <i>House File 330</i>).	10
180.	Amending law relative to local boards of health. (See <i>House File 414</i>)	59
181.	Bonding of county indebtedness.	16
182.	Appropriation for girls' department of Iowa Industrial School.	101
202.	Appropriation for penitentiary at Ft. Madison.	90
209.	Legalizing electric light plant of Knoxville.	142
210.	Providing commissioners and trustees for Industrial Home for the Blind.	51
215.	Aiding State Historical Society.	103
225.	Punishing the crime of sodomy.	39
237.	Appropriation for boys' department of Industrial School.	100
250.	Legalizing ordinances of Charter Oak.	124
258.	Legalizing incorporation of Hospers.	134
259.	Legalizing re-incorporation of Presbyterian church of Toledo.	158
268.	Legalizing incorporation of Garden Grove.	130
270.	Confirming civil rights.	43
282.	Appropriation for College for the Blind.	85
286.	Legalizing acts of independent school district of Table Mound and Salem.	148
298.	Authorizing transfer of insane patients from one hospital to another. (See <i>House File 490</i>).	48
299.	Legalizing revised ordinances of Adel.	125
330.	Abolishing offices of township clerk or township trustees in cities. (See <i>House File 179</i>).	10
333.	Legalizing incorporation of Monroe.	126
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391.	Relative to taxes in aid of railways. (See <i>House File 427</i>).	18
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404.	Legalizing formation of independent school districts of Pleasant Ridge No. 1, and North River No. 4.	152
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423.	Legalizing incorporation of Pierson.	129
425.	Relative to kinds of insurance and limitation of risks. (See <i>House File 471</i>).	29
427.	Relative to taxes in aid of railways. (See <i>House File 391</i>).	18
441.	For relief of Wm. W. and Amanda F. Belknap.	111
451.	Relative to street railways on highways.	22

No. Bill.	Subject.	No. Chapter.
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459.	Relative to mutual benefit associations.....	30
470.	Legalize plat and dedication of Johnston's addition to Humboldt.	137
471.	Relative to kinds of insurance and limitation of risks. (See <i>House File 425-457</i>).....	29
475.	Legalizing revised ordinances of Knoxville.....	123
482.	Extending time for paying indebtedness of orphans' asylum at Andrew, Iowa. (See <i>House File 518</i>)	76
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489.	Legalizing official acts of Daniel Shannon.....	157
490.	Providing for transfer of insane patients from one hospital to another. (See <i>House File 293</i>).....	48
495.	Providing for calling meetings in independent districts	21
504.	Legalizing ordinance of Clarinda... ..	136
505.	Legalizing organization of independent school district of Nassau.	153
510.	Legalizing ordinances of Stanwood.....	119
515.	Legalizing ordinances of Breda.....	120
517.	Legalizing ordinances of Corning.....	122
518.	Extending time for paying indebtedness of orphans' asylum at Andrew. (See <i>House File 482</i>).....	76
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JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, January 11, 1892. }

Pursuant to law the senate of the twenty-fourth general assembly convened at 2 o'clock p. m., and was called to order by Lieutenant Governor A. N. Poyneer.

President William M. Beardshear offered the following prayer :

Oh Lord the God of our fathers, Thou art sovereign over all peoples. Thou hast crowned the years of our State and National history with good things. Unto Thee we make acknowledgment of Thy providence for the past year, in the abounding harvests, in the springing grasses, in the contented kine on a thousand prairies, and the teeming industries of town and city. We thank Thee that Thou hast set the solitary in families, and that through honorable parentage, from the destiny shaping power of the teachings about the household altars of childhood on through ripening manhood unto our graver responsibilities as individual citizens, we have shared the beneficent influences of good homes. We praise Thee for the institutions of the State that have been auxiliary to these homes, that give enlightenment and culture to the youth, shelter to the friendless, succor to the infirm of body, fostering grace to the weak of mind, and a brother's care to the unfortunate and fallen. Honor be to Thee that, upon this western continent, we, as an American people, irrespective of race or creed, have been prospered in the establishment of a government in which the rights of man as man are universally recognized, and integrity and worth of character outweigh silver and gold, bestowing upon every man the birthright of an individual sovereignty outvaluing that of kings. We adore Thee for the sacrifices of our fathers in giving us national birth; for the men and the women who, in church and out of church, have lived good lives in this land,—who have toiled in the field, wrought in the shop, planned in legislative halls, and decreed justice in executive chairs. We give thanks to Thee for the men who, in our country's peril, left home and kindred dear to fight the battles of truth and liberty, that home and native land might be inviolate under one government and one flag. Through all our country's hallowed story Thou hast been our guide, and Lord over all reign Thou supreme in the destinies of our peoples evermore.

In Senate assembled to promote the welfare of this commonwealth of Iowa, we invoke Thy blessing and seek Thy guidance. Inspire us with a holy purpose to adopt the best measures for the securement of the worthiest ends of a wise government, that will most healthfully promote the institutions of the State; that will give good encouragement to the rich and the poor, to the laborer and to the capitalist alike, and be a growing delight to the lovers of good government in all the land.

Bless the President of the United States, the Governor of Iowa, and all who are in authority. As of old Thou didst say: "Blessed shalt thou be in thy going out and blessed shalt thou be in thy coming in," so as to the officers and members of this Senate,—blessings be upon him that goeth out; blessings be upon him that cometh in. Grant us all grace and wisdom for the duties of life until we come to that land where the mystery of this strange life is solved at last, and the faithful toiler for earth's good can lay aside his heaviest burden and be at rest.

Answer this, our prayer, for Thy name's sake. Amen.

On motion of Senator Parrott, seconded by Senator Bolter, W. R. Cochrane, of Taylor county, was elected temporary secretary.

On motion of Senator Parrott, seconded by Senator Shields, E. D. Chassell of Plymouth county, was elected temporary assistant secretary.

On motion of Senator Parrott, seconded by Senator Kelly, Gid. Hutchins of Wright county, was elected temporary sergeant-at-arms.

On motion of Senator Parrott, seconded by Senator Shields, John Heffelfinger of Grundy county, was elected temporary door-keeper.

On motion of Senator Parrott, seconded by Senator Gobble, William Coalson and George Poindexter of Polk county, were elected temporary janitors.

For temporary pages, Senator Mosnat nominated Clarence Logan; Senator Reynolds, Charles Moon; Senator Bolter, Paul Murphy; Senator Harsh, Forest Blyler; Senator Shields, George Hunt. On motion of Senator Bolter the five pages named were elected by acclamation.

Senator Kelly offered the following resolution:

Resolved, That a committee of five, with Senator Gatch as chairman, be appointed on credentials.

Carried.

The president appointed the following as such committee: Senators Gatch, Mack, Finn, Gobble and Cleveland.

On motion of Senator Harsh, Michael Lynch and Spencer Reese were elected temporary assistant doorkeepers.

The roll of senators holding over was then called, and the following responded.

1st District—William G. Kent.

7th District—G. W. Perkins.

9th District—W. W. Dodge.

12th District—Joel Stewart.

18th District—W. F. Cleveland.

20th District—John M. Gobble.

29th District—Perry Engle.

30th District—C. H. Gatch.

34th District—L. R. Bolter.
35th District—James H. Shields.
37th District—W. C. Smith.
38th District—Matt. Parrott.
42nd District—A. K. Bailey.
44th District—R. G. Reiniger.
45th District—J. J. Mosnat.
48th District—Thomas Rich.
50th District—Edgar E. Mack.

ABSENT.

20th District—William O. Schmidt.

The roll of newly elected senators was then called and the following were present :

2nd District—B. R. Vale.
3rd District—E. M. Reynolds.
4th District—L. W. Lewis.
5th District—J. B. Hersh.
6th District—G. L. Finn.
8th District—A. J. Chantry.
10th District—D. J. Palmer.
11th District—James H. Jamison.
13th District—J. J. Smith.
14th District—A. B. Conaway.
15th District—T. B. Perry.
16th District—A. L. Hager.
17th District—H. F. Andrews.
19th District—William Groneweg.
22nd District—S. W. Gardiner.
23rd District—Alfred Hurst.
24th District—J. A. Greene.
25th District—M. J. Kelly.
26th District—John M. Terry.
27th District—O. M. Oleson.
28th District—Geo. A. Turner.
31st District—T. C. McCall.
32nd District—J. D. Yeomans.
33rd District—M. W. Harmon.
36th District—John Everall.
39th District—R. S. Smith.
40th District—L. B. Mattoon.
41st District—C. F. Jewett.
43rd District—N. V. Brower.

46th District—W. H. Dent.

47th District—A. B. Funk.

49th District—L. H. Bishop.

Senator Bailey offered the following resolution:

Resolved, That hold-over and re-elected senators be permitted to take the seats occupied by them during the session of the Twenty-Third General Assembly if they desire. All other senators to draw seats by lot unless they can otherwise agree among themselves what seats they shall occupy. Except that senators elected to fill vacancies be accorded the privilege of their predecessors.

Adopted.

On motion of Senator Bailey, the roll of hold-over and re-elected senators, and senators elected to fill vacancies, was called to ascertain if they desired to change their seats.

The newly elected senators and others desiring to change their seats, drew lots and made choice.

On motion of Senator Kelly, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, January 12, 1892. }

The senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by President Poyneer.

Prayer by Rev. W. H. W. Rees.

The journal of the previous day was read and approved.

Senator Gatch for the committee on credentials submitted the following report:

SENATE CHAMBER, January 12, 1892.

MR. PRESIDENT:—Your committee on credentials, having carefully examined their certificates of election, find the following named persons to have been duly elected members of this body for the term of four years from January 1, 1892, namely:

2nd District—B. R. Vale.
3rd District—E. M. Reynolds.
4th District—L. W. Lewis.
5th District—J. B. Harsh.
6th District—Geo. L. Finn.
8th District—A. J. Chantry.
11th District—James H. Jamison.
14th District—A. B. Conaway.
15th District—T. B. Perry.
16th District—A. L. Hager.
17th District—H. F. Andrews,
19th District—Wm. Groneweg.
23rd District—Alfred Hurst.
24th District—J. A. Greene.
25th District—M. J. Kelly.
26th District—J. M. Terry.
27th District—O. M. Oleson.
28th District—Geo. A. Turner.
31st District—Thos. C. McCall,
32nd District—J. D. Yeomans.
33rd District—M. W. Harmon.
36th District—John Everall.
39th District—R. S. Smith.
40th District—L. B. Mattoon.
41st District—C. F. Jewett.
43rd District—N. V. Brower.
46th District—W. H. Dent.
49th District—Luther H. Bishop.

We further find that the following named persons were duly elected members of this body for the term of two years from January 1st, 1892:

10th District—D. J. Palmer.

15th District—J. J. Smith.

22nd District—Silas W. Gardiner.

Your Committee further find and report that the certificates of election of A. B. Conaway of the 14th district, Geo. A. Turner of the 9th district, J. M. Terry of the 26th district, J. D. Yeomans of the 32nd district, and John Everall of the 36th district are defective in that they are only signed by the auditors of their respective counties, whereas they should have been signed by the Chairman of the Board of Canvassers and attested by the County Auditor. But being well assured of the fact of their legal election, your Committee unanimously recommends that they be admitted to seats.

C. H. GATCH,
EDGAR E. MACK.
W. F. CLEVELAND.
J. M. GOBBLE.
GEO. L. FINN.

On motion of Senator Kelly, the report of the committee was adopted.

On motion of Senator Bolter, the Senate took a recess of fifteen minutes.

The Senate reconvened.

Senator Gatch for the committee on credentials submitted the following supplemental report.

SENATE CHAMBER, Jan. 12, 1892.

MR. PRESIDENT—Your committee on credentials having failed to receive the certificate of election of Senators Funk and Harsh until since the presentation of this committees' first report, and the same now having come into our possession, showing A. B. Funk, of Dickinson County, Iowa, was duly elected a member of this body from the Forty-seventh district for the term of four years from January 1st, 1892, and that J. B. Harsh of Union County, Iowa, was duly elected a member of this body from the Fifth district for the term of four years from January 1st, 1892, we file this, our supplemental report, and ask that the same be received and adopted.

C. H. GATCH,
EDGAR E. MACK,
W. F. CLEVELAND,
J. M. GOBBLE,
GEO. L. FINN.

Adopted.

The newly elected senators appeared at the bar and subscribed to the following oath:

You, and each of you, do solemnly swear to support the constitution of the United States and the constitution of the state of Iowa, and that you will faithfully discharge the duties of senators to the best of your ability.

Senator Dodge offered the following resolution:

Resolved, That P. W. Marshall be authorized to place a barber's chair in the cloak room of the Senate, at his own expense, for the convenience of senators, officers and employes of the Senate.

Adopted.

Senator Parrott offered the following resolution:

Resolved, That the Senate proceed to the election of permanent officers, and that in presenting candidates, that names and location only be given, and that there be no nominating speeches.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—25.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting, none.

The vote being equal for and against the adoption of the resolution, the President of the Senate voted aye, and the resolution was declared adopted.

Senator Parrott moved that the Senate proceed to the election of a secretary.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—25.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting—none.

The vote being equal for and against the adoption of the motion, the President of the Senate voted yea, and the motion was declared carried.

Senator Parrott nominated for secretary of the Senate, J. W. Cliff.

Those voting for Mr. Cliff were :

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—25

Absent or not voting :

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

No election.

On motion of Senator Kelly the Senate adjourned until two o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

On motion of Senator Parrott the senate took a recess for fifteen minutes.

The senate then reconvened and proceeded to vote for secretary.

Those voting for J. W. Cliff were—

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Smith, Vale—22.

Absent or not voting were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—28.

Senator Perkins announced that he was paired with Senator Kent who was absent.

No election.

The Senate proceeded to another ballot.

Those voting for J. W. Cliff were :

Senators Andrews, Bailey, Chantry, Conaway, Engle, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Vale—21.

Absent or not voting were :

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Finn, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—29.

No election.

The senate proceeded to ballot again.

Those voting for J. W. Cliff were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Parrott, Reiniger, Reynolds, Smith of Wright, Turner, Vale—21.

Absent or not voting were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Engle, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—29.

No election.

On motion of Senator Finn a call of the Senate was made, and the following Senators answered to roll call:

Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Smith of Wright, Turner, Vale—27.

Absent or not voting were :

Senators Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—23.

There being a quorum present, further proceedings under the call were dispensed with.

The senate proceeded to the election of permanent secretary.

Those voting for J. W. Cliff were—

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

Absent or not voting were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Engle, Everall, Gardiner, Gobble, Greene, Groneweg, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

No election.

The Senate proceeded to another ballot.

Those voting for J. W. Cliff were :

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Smith of Wright—21.

Absent or not voting were :

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—29.

No election.

The Senate proceeded to ballot.

Those voting for J. W. Cliff were—

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Reynolds, Smith (of Wright), Turner, Vale—23.

Those voting for H. E. Stansbury were—

Senator Brower—1.

Absent or not voting were—

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith (of Butler) Smith (of Wapello), Stewart, Terry, Yeomans—26.

No election.

The Governor's private secretary appeared and presented

A MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, January 12th, 1892. }

MR. PRESIDENT:—I am directed by the Governor to deliver to your honorable body a message in writing.

CLIFFORD D. HAM,
Private Secretary.

The communication received, being the Governor's biennial message, was placed on file, to be referred to the proper committee when appointed.

On motion of Senator Parrott, the Senate adjourned until ten o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 13th, 1892. }

Senate met pursuant to adjournment, at 10 A. M, President Poyneer presiding.

Prayer by Rev. W. A. Black.

Journal of the preceding day was read and approved.

Senator Mack moved a call of the senate, which being seconded the roll was called.

Those present were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright Stewart, Terry, Turner, Vale, Yeomans—41.

Those absent or not answering to roll call were:

Senators Bishop, Dent, Everall, Groneweg, Kelly, Kent, Mosnat, Perry, Shields—9.

A quorum being present further proceedings were dispensed with under the call.

Senator Parrott moved that the Senate adjourn until 10 o'clock to-morrow morning.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting:

Senators Engle and Everall.

So the motion was lost.

The Senate proceeded to the election of a permanent secretary.

Those voting for J. W. Cliff were:

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—24.

Absent or not voting were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

No election.

Senator Finn appealed from the decision of the chair.

On this the yeas and nays were demanded.

The question being: "Shall the decision of the chair stand?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Cleveland, Dodge, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—31.

The nays were:

Senators Andrews, Chantry, Conaway, Engle, McCall, Palmer—6.

Absent or not voting:

Senators Dent, Everall, Finn, Hager, Harmon, Jamison, Jewett, Parrott, Reiniger, Reynolds, Shields, Turner, Vale—13.

So the decision of the chair was sustained.

Senator Perkins moved that the Senate adjourn until 10 o'clock to-morrow morning.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Cleveland, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner—40.

The nays were:

Senators Brower, Chantry, Dent, Engle, Yeomans—5

Absent or not voting:

Senators Conaway, Everall, Reiniger, Shields, Stewart—5.

So the senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 14, 1892. }

Senate met pursuant to adjournment at 10 o'clock, A. M., President Poyneer presiding.

Prayer by Rev. J. M. Frame.

The Journal of preceding session was read and approved.

Senator Mack moved a call of the Senate, which being duly seconded the roll was called.

Those present were—

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—47.

Those absent were—

Senators Chantry, Mosnat, Terry—3.

There being a quorum present further proceedings under the call were dispensed with.

The Senate then proceeded to the election of a permanent secretary.

Those voting for J. W. Cliff were :

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—24.

Those absent or not voting were :

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Those voting for L. S. Kennington were :

Senator Engle—1.

Senator Finn moved that the Secretary be instructed to note the names of senators present in their seats and not voting.

President A. N. Poyneer in the chair ruled that the motion of Senator Finn was out of order, but said that as the question of a quorum being now raised, he would order the secretary to note in the Journal the names of the following senators as present:

The president then designated by name the following senators whom he saw in their seats, and ordered the secretary to enter the same in the Journal.

Senators Bolter, Cleveland, Dodge, Gobble, Groneweg, Hurst, Kelly, Mattoon, Oleson, Schmidt, Terry and Yeomans—12.

There being a quorum present, and J. W. Cliff having received a majority of the votes of the senators present, he was declared duly elected permanent secretary of the Twenty-fourth General Assembly.

Senator Shields gave notice of a protest against the ruling of the chair and the counting of a quorum.

MESSAGE FROM THE HOUSE.

Representatives Beem and Smyth appeared as a committee from the House, and announced that the House was organized and ready for business.

On motion of Senator Parrott the senate proceeded to the election of a first assistant secretary.

Senator Parrott nominated T. F. Armstrong, of Ringgold county.

Senator Bolter nominated W. F. Conklin, of Johnson county.

Senator Engle nominated Crawford Davis, of Davis county.

Those voting for T. F. Armstrong were—

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Those voting for W. F. Conklin were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

Those voting for Crawford Davis were—

Senator Engle—1.

W. F. Conklin having received a majority of the votes cast was declared duly elected first assistant secretary.

Senator Brower explained his vote as follows :

MR. PRESIDENT :—I desire to say in explaining my vote, well aware as I am, that the ruling of the chair by which one republican nominee was elected does not affect the result as to the rest, that, after careful deliberation on the points in issue, I can see no good reason

for the prolongation of the deadlock, which has now existed for more than two days. Divided as we are, with twenty-four republicans on one side, twenty-five democrats on the other, and one independent between us, that independent holds the balance of power, while voting with the republicans. This he has done and may continue to do indefinitely. We have no control over that, and the one independent has the power to dictate terms, and has named terms to each of the two leading parties, on the acceptance of which by either one or the other, he would act with them within certain bounds. Rather than agree to certain conditions, asserted openly to have been made by this senator to the republican party—which was a demand for certain minor places within the gift of that party, if successful in perfecting the organization of the Senate (which might be changed when the democratic president takes his seat). I prefer that the party whom the people of Iowa at the ballot box decreed should have a majority of one in this body on a tie vote, when the permanent organization is perfected, should have what the people of Iowa have said they should have, and shall vote accordingly. I am well aware, Mr. President, that the prolongation of the dead-lock is justified by some in my party, on the ground of party tactics, and that, perhaps, out of the contest may come advantage to the party I represent; but the fact remains, that in justice and right the democratic presiding officer must soon be accorded the chair to which the people elected him, and while technically it may be said, and is said, in justification of the dead-lock, that he is not entitled to it until he can get it, I insist that this presentation of the case is unworthy of serious consideration. There is no question involved in or behind this dead-lock that, in my opinion, is worthy of the contest and the delay we have already indulged in. There is no great principle dear to the heart of the republican party in it—nothing more than perhaps the hope of concessions in the matter of some of the subordinate offices of the Senate.

With an issue involved, worthy of the effort, no republican would hold out longer than myself, or insist with more firmness than I, that the republican party should have its own. The situation being as it is, some republican must add one to the vote of the democratic side of the Senate, not for democracy but to break a long contest and to assist that party to that which it is entitled—to the chair of the President of the Senate and enable this body to go about the business assigned to it. I vote for W. F. Conklin, of Johnson.

The Senate proceeded to the election of a second assistant secretary. Senator Parrott nominated George E. Taylor, of Mahaska county. Senator Bolter nominated C. F. Swift, of Shelby county.

Senator Engle nominated L. S. Kennington of Jasper county:

Those voting for George E. Taylor were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Those voting for C. F. Swift were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

Senator Engle voted for L. S. Kennington—1.

C. F. Swift, having received a majority of the votes cast, was declared duly elected second assistant secretary.

The Senate proceeded to the election of an engrossing clerk.

Senator Parrott nominated Miss Nannie J. Stull, of Van Buren county.

Senator Bolter nominated Miss Pearle Chamberlin, of Pottawattamie county.

Those voting for Miss Stull were:

Senators Andrews, Bailey, Chantry, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

Those voting for Miss Chamberlin were:

Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent and not voting—

Senators Brower, Conaway and Engle—3.

Miss Pearle Chamberlin having received a majority of the votes cast, was declared duly elected engrossing clerk.

The Senate proceeded to the election of an enrolling clerk.

Senator Parrott nominated Miss Lou Young, of Woodbury county.

Senator Bolter nominated Miss Mabel Moore, of Scott county.

Those voting for Miss Lou Young were—

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Those voting for Miss Mabel Moore were—

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Kelly, Kent, Mattoon, Mosnat, Oleson,

Perry, Rich, Schmidt, Sniels, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting—

Senators Brower and Engle—2.

Miss Mabel Moore having received a majority of the votes cast, was declared duly elected enrolling clerk.

The Senate proceeded to the election of a sergeant-at-arms.

Senator Parrott nominated Peter Melendy of Blackhawk county.

Senator Bolter nominated Col. F. G. Yeoman of Wright county.

Those voting for Peter Melendy were—

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Turner, Vale—23.

Those voting for Col. F. G. Yeoman were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—27.

F. G. Yeoman having received a majority of the votes cast was declared duly elected.

The Senate proceeded to the election of a bill clerk.

Senator Parrott nominated Margaret Mills, of Marshall county.

Senator Bolter nominated Miss Estella Stubbs, of Henry county.

Those voting for Margaret Mills were—

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner and Vale—24.

Those voting for Estella Stubbs were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith (of Wapello), Stewart, Terry and Yeomans—26.

Miss Estella Stubbs having received a majority of the votes cast was declared duly elected bill clerk.

The Senate proceeded to the election of a file clerk.

Senator Parrott nominated J. L. Thompson, of Decatur county.

Senator Bolter nominated John McCulloch, of Polk county.

Those voting for J. L. Thompson were—

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Turner, Vale—23.

Those voting for John McCulloch were—

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—27.

John McCulloch having received a majority of all the votes cast was declared duly elected file clerk.

The Senate proceeded to the election of a postmistress.

Senator Parrott nominated Miss Fannie Beebe, of Dickinson county.

Senator Bolter nominated Mrs. Emma Lathrop, of Wapello county.

Those voting for Miss Fannie Beebe were:

Senators Andrews, Chantry, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—20.

Those voting for Mrs. Emma Lathrop were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Engle, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

Absent or not voting:

Senators Bailey, Brower, Conaway, Finn—4.

Mrs. Emma Lathrop having received a majority of the votes cast, was declared duly elected postmistress.

The Senate proceeded to the election of a door keeper.

Senator Parrott nominated William Gange, of Floyd County.

Senator Bolter nominated Judd Griggs, of O'Brien county.

Those voting for William Gange were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Those voting for Judd Griggs were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting:

Senators Brower and Engle.

Judd Griggs having received a majority of the votes cast, was declared elected door keeper.

Senator Parrott offered the following resolution:

Resolved, That T. D. Lyons, of Mahaska; G. Hutchins of Wright; S. D. Harper, of Wayne; Joseph Billsland, of Fremont; J. G. Savage, of Adair; W. W. Wills, of Mills; David Wooley, of Marion; D. P. Andrews, of Howard, be and they are hereby appointed additional door keepers of the Senate and assigned to duty as assistants, under the direction of the door keeper.

Senator Bolter offered the following substitute for Senator Parrott's resolution, and moved its adoption :

Resolved, That H. C. Kummer, of Lee County; Henry Morrison, of Monona County; L. D. Van Gorder, of Allamakee County; John W. Rucker; Capt. David Richart, of Monroe County; M. Lauritsen, M. Lynch and H. M. Belvel, of Polk County, be, and they are hereby elected additional door keepers of the Senate, and assigned to duty as assistants under the direction of the door keeper.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Engle, Everall, Gardner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith, of Butler, Smith, of Wapello, Stewart, Terry, Yeomans—27.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

So the substitute was adopted.

The resolution as amended was adopted.

Senator Parrott offered the following resolution:

Resolved, That Bennett Rinehart, of Taylor county, and J. E. Reed, of Davis county, be, and they are hereby Journal clerks, and assigned to duty under the direction of the secretary.

Senator Bolter moved to amend the resolution by striking out the names therein contained, and inserting the names of G. A. Fairfield, of Clayton county, and Suel J. Spaulding, of Warren county, in lieu thereof.

On the amendment the yeas and nays were demanded:

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Engle, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Stewart, Terry, Yeomans—27.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall,

Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith (of Wright), Turner, Vale—23.

So the resolution was amended.

The resolution as amended was adopted.

Senator Parrott offered the following resolution:

Resolved, That Wm. Coalson and Wm. Priestly be, and they are hereby appointed janitors of the Senate, and to have charge of the cloak room.

Senator Bolter moved to amend the resolution by striking out the names therein contained and inserting the names of John Early, of Polk county, and Rev. R. D. Turner, of Scott county, in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harman, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Absent or not voting:

Senator Engle—1.

So the resolution was amended.

The resolution as amended was adopted.

Senator Parrott offered the following resolution:

Resolved, That the president of the senate do now appoint a committee of two to act with the house committee in nominating a mail carrier.

The yeas were—

Senators Andrews, Bailey, Chantry, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

The nays were—

Senators Bishop, Bolter, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Gardiner, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—27.

Absent or not voting—

Senator Brower—1.

So the resolution was lost.

On motion of Senator Kelly the senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, Jan. 15, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., President Poyneer presiding.

Prayer by Rev. R. D. Turner.

The journal of the preceding day was read and approved.

Senator Shields filed the following protest:

In behalf of the democratic members of the twenty-fourth general assembly, I hereby protest against, and object to the swearing in, election, and assumption by J. W. Cliff of the office of permanent secretary of the senate, for the reason that said J. W. Cliff has not been rightfully elected to said office, and is not entitled, by any pretended election, to exercise the functions thereof.

J. H. SHIELDS,

Senator 35th District, for the Democratic Members 24th General Assembly.

The newly elected officers appeared at the bar of the Senate and took the oath of office, as follows:

J. W. Cliff, secretary; W. F. Conklin, first assistant secretary; C. F. Swift, second assistant secretary; Miss Pearl Chamberlain, engrossing clerk; Miss Mabel Moore, enrolling clerk; F. G. Yeoman, sergeant-at-arms; Miss Estella Stubbs, bill clerk; John McCulloch, file clerk; Judd Griggs, door-keeper; H. C. Kummer, assistant door-keeper; Henry Morrison, assistant door-keeper; L. D. VanGorder, assistant door-keeper; John W. Rucker, assistant door-keeper; David Richart, assistant door-keeper; M. Lauritsen, assistant door-keeper; M. Lynch, assistant door-keeper; H. M. Belvel, assistant door-keeper; G. A. Fairfield, journal clerk; Suel J. Spaulding, journal clerk;

Senator Funk offered the following resolution:

Resolved: That the Senate hereby invites the resident clergymen of Des Moines to open the daily sessions of the Senate with prayer, in such order as they may arrange among themselves. In their absence the president of the Senate may invite any visiting clergyman present to officiate as chaplain, and the latter shall receive the same compensation as resident clergymen.

Senator Gatch, by request, offered the following proposition:

To the Honorable, the General Assembly of the State of Iowa, Convening in Des Moines, Jan. 11, 1892:

GENTLEMEN—The Ministerial Association of Des Moines, desire to express to your honorable bodies its conviction that a change from methods previously pursued in the compensating of the clergy for chaplain services in the Senate and

House is desirable. We beg leave to submit the following proposition for your distinguished consideration.

As representing a considerable portion of the clergy of the city will cheerfully respond as heretofore, if called to chaplain duty, *without* compensation therefor.

In consideration of such service we further suggest the propriety of devoting the amount of money ordinarily devoted to the payment of chaplains, to the filling of an alcove in the state library with religious literature.

Respectfully submitted,

A. L. FRISBIE, *Chairman*

For committee of ministerial association.

Des Moines, January 11, 1892.

On motion of Senator Bolter the resolution was laid on the table.
Senator Bailey offered the following resolution:

Resolved, First. That the secretary of the senate shall cause to be furnished to the state printer a copy of the daily journal of this body for printing, as required by chapter 82, of the laws of the Twenty-second General Assembly.

Second. That such copy shall be supplied at as early an hour as possible, or as may be agreed between the secretary and the state printer, but not later than 8 o'clock P. M., except when an evening session is held.

Third. That the printed copies of said journal required by law be furnished by the state printer before 10 o'clock A. M., of the following day, to the sergeant-at-arms of the Senate, who shall cause one copy thereof to be placed upon the desk of each senator.

Fourth. That immediately preceding adjournment of the Senate next following the distribution of printed journal the president of the Senate shall call for corrections of the journal as printed, and all corrections so made shall be noted by the secretary and the same returned to the state printer for typographical correction and printing, as required by Sections 14 and 15, of said Chapter 82 of the Laws of the 22nd General Assembly.

Adopted.

Senator Bolter offered the following concurrent resolution:

Resolved, by the Senate, the House concurring: That Senators Cleveland, Dodge, Shields, Gatch, and Mack, be appointed a committee on behalf of the Senate, to act in concert with a like committee to be appointed by the House, to make suitable arrangements for the inauguration of Governor and Lieutenant-Governor.

Adopted.

Senator Schmidt offered the following resolution:

Resolved, That no bills be introduced into this Senate until the standing committees shall have been announced by the incoming Lieutenant-Governor.

Adopted.

Senator Bailey offered the following resolution:

Resolved, That the President of the Senate appoint a committee of two to notify the House of Representatives that the Senate is now organized as provided by law, and ready for the transaction of business.

Adopted.

The president appointed Senators Bailey and Kelly a committee to notify the House that the Senate is now organized and ready for the transaction of business.

The committee appointed to notify the House that the Senate is organized and ready for business made the following report:

Mr. PRESIDENT—Our duties have been performed.

The committee was discharged.

Senator Finn offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That Tuesday, January 19, the order of business be the canvassing of the vote for governor and lieutenant-governor.

On motion of Senator Gatch the resolution was laid on the table for fifteen minutes.

Senator Conaway moved that a committee of two be appointed to wait upon the Governor.

Carried.

The president appointed as such committee Senators Conaway and Stewart.

Senator Bailey moved that a mileage committee be appointed.

Carried.

The President appointed Senators Bailey, Mosnat, and Perkins as a committee on mileage.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following concurrent resolutions in which the concurrence of the Senate is asked:

1. Relative to joint committee on mail carrier.
2. For visiting committees for state institutions.
3. Relative to purchasing codes.
4. Relative to canvassing vote for governor and lieutenant-governor.

CHAS. BEVERLY, *Chief Clerk.*

Senator Mack offered the following resolution:

WHEREAS, The incoming president of the senate has, by virtue of his office, a large correspondence extending to all parts of the state, and his time is taken up with his legitimate duties as to require his constant attendance, therefore

Resolved, That the president of the senate be, and he is hereby authorized and empowered to employ a clerk to act during the sessions of the senate.

Resolved, That such clerk shall receive the same per diem, which shall be drawn in the same manner, as now allowed by law for committee clerks.

Adopted.

Senator Conaway from the committee appointed to wait upon the Governor, reported that they had performed that duty, and that the Governor informed them that he had no further communications to transmit to the Senate.

The committee was then discharged.

On motion of Senator Gatch, House messages were taken up.

The following concurrent resolution was then taken up, amended and passed:

Resolved by the House, the Senate Concurring: That a special committee of three from the House and two from the Senate be appointed to select a mail carrier.

On motion of Senator Gatch the resolution was amended by striking out "two" in the clause "two from the Senate," and inserting in lieu thereof the word "three."

The Senate took up for consideration:

HOUSE CONCURRENT RESOLUTION RELATIVE TO VISITING COMMITTEES.

Resolved by the House, the Senate concurring: That there be appointed committees to visit the several State institutions, consisting of two from the House and one from the Senate; said committees to report to the General Assembly on or before February 10, 1892, and said committees not to be announced until the day of the Assembly adjourns to allow the visiting committees to perform their duties. The said committees shall examine and include in their report:

FIRST. A tabulated statement, showing the expenditures, fully itemized, from the appropriations made by the last General Assembly.

SECOND. The committees shall examine and report whether there has been any diversion of the funds from the purposes of the appropriation.

THIRD. Whether Chapter 67, acts of the 17th G. A., have been strictly complied with.

FOURTH. Said committee shall report on the sanitary condition of such institutions, and the manner of escape from fire, and make recommendations in regard thereto.

FIFTH. Said committees shall report a full list of employes in each institution and their compensation, and shall make recommendations in regard thereto.

SIXTH. The committees shall report the average cost per week of supporting each inmate.

SEVENTH. Said committee shall report what repairs, or changes, or new structures, are necessary, in their judgment.

Each committee shall have power, and are hereby directed to examine any person under oath, whenever they deem it necessary to obtain the information called for.

The question being: "Shall the Senate concur in the resolution?"

Senator Lewis offered the following amendment:

Said committee shall examine and report whether the provisions of a law passed by the Twenty-third General Assembly, entitled "an act relating to the drawing of money from the State treasury," has been complied with.

Pending action, Senator Bailey, for the committee on mileage submitted the following report:

MR. PRESIDENT—Your committee on mileage beg leave to report the following as a list of Senators, and the mileage each is entitled to under the statute:

NAMES.	Miles.	Amount.	NAMES.	Miles.	Amount.
Lient.-Governor Poyneer....	184	\$ 9.20	Senators Kelly.....	218	10.90
Senators Andrews.....	220	11.00	Kent.....	372	18.60
Bailey.....	534	26.70	Lewis.....	274	13.70
Bishop.....	472	23.60	Mack.....	284	14.20
Bolter.....	344	17.20	McCall.....	90	4.50
Brower.....	310	15.50	Mattoon.....	460	23.00
Chantry.....	372	18.60	Mosnat.....	218	10.90
Cleveland.....	210	10.50	Oleson.....	180	9.00
Conaway.....	140	7.00	Palmer.....	250	12.50
Dent.....	432	21.60	Parrott.....	210	10.50
Dodge.....	350	17.50	Perkins.....	390	19.50
Engle.....	70	3.50	Perry.....	136	6.80
Everall.....	660	33.00	Reininger.....	304	15.20
Finn.....	310	15.50	Reynolds.....	298	14.90
Funk.....	400	20.00	Rich.....	200	10.00
Gardiner.....	450	22.50	Schmidt.....	350	17.50
Gatch.....	2	10	Shields.....	408	20.40
Gobble.....	324	16.20	Smith, of Butler ..	260	13.00
Greene.....	344	17.20	Smith, of Wapello..	180	9.00
Groneweg.....	286	14.30	Smith, of Wright...	180	9.00
Hager.....	240	12.00	Stewart.....	110	5.50
Harmon.....	300	15.00	Terry.....	300	15.00
Harsh.....	232	11.60	Turner.....	134	6.70
Hurst.....	504	25.20	Vale.....	272	13.60
Jamison.....	126	6.30	Yeomans.....	474	23.70
Jewett.....	350	17.50			

Respectfully submitted,

A. K. BAILEY, *Chairman,*
J. J. MOSNAT,
GEO. W. PERKINS,
Committee on Mileage.

Adopted.

The following pairs were then announced—

- Senator Perkins with Senator Oleson, until Tuesday.
- Senator Hager with Senator Greene, until Tuesday.
- Senator Everall with Senator Turner, until Tuesday.
- Senator Gardiner with Senator Funk, until Tuesday.
- Senator Mack with Senator Dent, until Wednesday.
- Senator Smith of Wapello, with Senator Conaway, until Tuesday.
- Senator Harsh with Senator Kent, until Tuesday.
- Senator Reiniger with Senator Groneweg, until January 25th.

Senator Finn moved that the Senate do now adjourn until Tuesday, January 19, 1892, at 10 o'clock A. M.

Carried.
The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 19, 1892. }

Pursuant to adjournment, the Senate met at 10 o'clock A. M. President Poyneer in the chair.

Mrs. Emma Lathrop appeared at the bar of the Senate and took the oath of office as postmistress.

Senator Cleveland made the following report from the committee on inauguration.

MR. PRESIDENT: Your committee appointed by concurrent resolution on inauguration make the following report:

The inaugural ceremonies will be held in the hall of the House of Representatives, at the State Capitol, at 2:30 P. M., Wednesday, January 20. The military escort will receive the Governor, Lieutenant-Governor and party at the Savery house, at 2:00 P. M., and proceed to the north front of the capitol building, where the military will open order, and the Governor, Lieutenant-Governor and party will pass through into the hall of the House of Representatives and be seated.

The House will assemble in the Representative Hall at 2 o'clock P. M. The Senate will assemble in the Senate Chamber at the same hour, and at 2:15 P. M. will proceed to the Hall of the House of Representatives, and take seats.

PROGRAMME.

Music.

Prayer by Rev. Dr. J. H. Lloyd, of Ottumwa.

Administration of the oath of office by Chief Justice Rothrock.

Inaugural address by the Governor.

Music.

The joint convention will then be dissolved. The capitol building will be open from 8 till 10 o'clock P. M., and an informal reception will be held by the Governor, Lieutenant-Governor and Speaker of the House in the rooms of the Governor.

The ceremonies of inauguration will be held under the control of Adjutant General Greene. The public will be admitted to the capitol building at all doors, except at the north front. Tickets entitling holders thereof to seats in the hall of the House of Representatives will be issued and distributed as follows:

Members of the Senate and House, 4 each; the Governor, 30; the Lieutenant Governor 10; the Lieutenant Governor elect, 10; the Speaker, 10; Secretary of State, 4; Treasurer of State, 4; Auditor of State, 4; Superintendent of Public Instruction, 4; Commissioner of Labor Statistics, 4; Clerk of Supreme Court, 4; Supreme Court Reporter, 4; State Librarian, 4; Mine Inspectors, 4 each; Adjutant General, 4; Attor-

ney General, 4; Judges of Supreme Court, 4 each; Railroad Commissioners, 4 each; Mayor and Council of Des Moines, 2 each; press of the State, 75; Governor's private secretary, 4; custodian of capitol building, 4; sergeants at arms, 2 each.

It is found impracticable to furnish more seats than the tickets above provided, and the seats will be reserved for the holders of such tickets, and no person, whether a member of the General Assembly, State officer, or otherwise, will be entitled to a seat except on presentation of a ticket.

Tickets for distribution for the members of the General Assembly will be distributed by the Chairman of the respective committees. All other tickets will be distributed by the Chairman of the joint committee.

The printing of the tickets will be under the supervision of Senator Cleveland and Representative Hipwell.

We further report that we have authorized the Adjutant-General to provide as a military escort the two Des Moines companies of State guards, also the commissioned officers of the State guards, for the occasion. We have also authorized the Adjutant-General to provide such carriages as may be necessary for the use of the Governor, Lieutenant Governor, and party. We request that the assistant doorkeepers be required to report to Custodian Carpenter at 1 o'clock P. M., and be under his direction during the ceremonies of inauguration.

W. F. CLEVELAND,
Chairman of Senate Committee.

C. G. HIPWELL,
Chairman of House Committee.

Report of the committee adopted.

Senator Perry arose to a question of privilege in reference to the adoption of the resolution relative to visiting State institutions, he having been reported by the newspapers as having favored such resolution, when he is, in fact, against such resolution, and he so stated at the time of its presentation.

HOUSE MESSAGES.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Fixing a time for counting the vote for Governor and Lieutenant-Governor.

Also that the House refuses to concur in the Senate amendment to resolution relative to appointment of mail carrier.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Schmidt House messages were taken up.

Resolved by the House, the Senate concurring: That the Senate and House meet in joint convention on Tuesday, January 19th, 1892, at 2:30 o'clock, P. M., in the hall of the House of Representatives to canvass the vote cast for Governor and Lieutenant Governor at the general election in the State, held on the third day of November, 1891.

The question being, "Shall the Senate concur?"

Resolution concurred in.

On motion of Senator Kelly, House message relating to mail carrier was taken up.

Moved by Senator Chantry that the Senate recede from its action on the resolution relating to mail carrier.

The question being "Shall the Senate recede?"

On this the yeas and nays were demanded.

The yeas were :

Senators Bailey, Chantry, Jamison, Jewett, McCall, Smith of Wright, Vale—7.

The nays were :

Senators Andrews, Bishop, Brower, Cleveland, Engle, Everall, Gatch, Gobble, Greene, Hager, Hurst, Kelly, Lewis, Oleson, Perkins, Perry, Schmidt, Shields, Terry, Yeomans—20.

Absent or not voting :

Senators Bolter, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Groneweg, Harmon, Harsh, Kent, Mack, Mattoon, Mosnat, Palmer, Parrott, Reiniger, Reynolds, Rich, Smith of Butler, Smith of Wapello, Stewart, Turner—23.

So the Senate refused to recede.

On motion of Senator Gobble a conference committee of four was appointed to confer with a like committee from the House regarding the appointment of mail carrier.

The president appointed as a conference committee: Senators Chantry, Gatch, Perry and Hager.

Resolved by the House, the Senate concurring: That the Secretary of State be requested to furnish for the use of members of the General Assembly, including the Lieutenant Governor, clerk of the House and secretary of the Senate, a copy of either Miller's or McClain's Code, at a cost to the State of not exceeding seven dollars (\$7.00) for each set of books.

The question being: "Shall the Senate concur?"

The Senate concurred.

House message relative to visiting committees was then taken up.

Senator Gatch moved that the resolution as amended be postponed until 10 o'clock to-morrow morning.

Senator Bailey moved to amend by inserting "Thursday at 11 o'clock A. M." instead of "10 o'clock to-morrow morning."

Carried.

Senator Bailey moved that the Senate rules of the Twenty-third General Assembly be adopted as the temporary rules of the Senate until permanent rules be adopted.

Lost.

Senator Kelly moved that the Senate take a recess of fifteen minutes.

Carried.

The Senate re-convened at 11:20 o'clock.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has appointed Messrs. Coffin, Norris, Dayton and Beem as a conference committee to meet a like committee from the Senate, to consider the resolution relative to mail carrier.

CHAS. BEVERLY, *Chief Clerk.*

Per SCOTT, *First Assistant.*

The printed Journal was then corrected and approved.

On motion of Senator Vale, the Senate adjourned until 2 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President Poyneer presiding.

HOUSE MESSAGE.

Representative Johnson appeared and announced that the House was ready to receive the Senate in joint convention.

The hour having arrived for the joint session, the Senate was requested by the President to accompany him in a body to the House.

Senator Gobble was appointed to act as teller for the Senate.

The Senate then went into joint convention.

JOINT CONVENTION.

The Senate appeared for joint convention. Lieutenant Governor A. N. Poyneer, President of the Senate, called the joint convention to order.

Mr. J. M. Gobble, of Muscatine, was announced as teller on the part of the Senate.

Mr. Henry Stone, of Marshall county, was announced as teller on the part of the House.

The roll was called, and a majority of both houses were found to be present as follows :

Addie, Andrews, Bailey, Beach, Beem, Bishop, Bitterman, Boise, Briggs, Brooks (of Audubon), Brooks (of Boone), Brower, Campbell, Carpenter, Carter, Castle, Chamberlin, Chantry, Chase, Clark, Cleveland, Coffin, Conaway, Coonley, Crawford, Cunningham, Dayton, Doane, Dodge, Dolph, Drewry, Ellickson, Ellis, Engle, Everall, Felkner, Flanagan, Fuhrmeister, Gardner (of Washington), Gatch, Gillman, Glattly, Gobble, Greene, Gwinn, Hager, Harmon, Harsh, Hart, Haselton, Hipwell, Holiday, Holland, Hoover, Hornish, Horstman, Horton, Hurst, Jamison, Jay, Jester, Jewett, Jewell, Johnson, Jones, Kasa, Kelly, Kent, Lane, Lewis, Linderman, McCall, McCann, McNealey, Mack, Marti, Miller, Mitchell, Morrison, Morrow, Mosnat, Norris, Oleson, Patterson, Penny, Perkins, Perry, Potter, Rich, Richman, Robinson, Saberson, Schmidt, Schrooten, Schultz, Sells, Shields, Shriver, Smith (of Butler), Smith (of Kossuth), Smith (of Wright), Sowers, Spaulding, Spearman, Springer, Steen, Stewart, Stillmunkes, Stone, Stuntz, Terry, Vale, Van Gilder, Ware, Warren, Watkins, Welch, Williams, Wilson, Wyckoff, Yeomans, Yost—121.

Members not answering to roll call were—

Austin, Bolter, Britt, Bruce, Dent, Finn, Funk, Gardiner (of Clinton), Gilbert, Gitchell, Goodwin, Groneweg, Harriman, Hinman, Jewell, Louis, Mattoon, Moore, Nemmers, Palmer, Parrott, Reiniger, Reynolds, Sharpnack, Smith of Wapello, Smyth, Turner, Wilken, Young—29.

The Speaker then opened the returns in presence of the joint convention, which proceeded to canvass the vote for Governor and Lieutenant Governor, at the election of 1891.

Mr. Beem of Keokuk, offered the following resolution, which was adopted :

Resolved, That all votes cast for the name of Wheeler be counted for Hiram C. Wheeler, and all cast for the name of Boies be counted for Horace Boies, and in the same manner with all of the candidates; the votes cast shall be counted for those candidates for whom it is apparent the vote was intended to be cast.

On motion of Mr. Beem the joint convention took a recess until 8 o'clock P. M.

The joint convention met as per adjournment.

The tellers reported, and the President of the convention announced the vote, in its presence, as follows:

For Governor:

Hiram C. Wheeler received	199,381
Horace Boies received	207,594
A. J. Westfall received	12,503
Isaac T. Gibson received	915
Scattering	19

And Horace Boies was declared elected Governor of Iowa for the ensuing term.

On Lieutenant Governor the President announced the vote as follows:

George W. Van Houten received	201,592
Samuel L. Bestow received	204,690
Walter S. Scott received	13,147
J. G. Little received	965
Scattering	11

And Samuel L. Bestow was declared elected Lieutenant Governor for the ensuing term.

Whereupon the following certificate was duly signed in the presence of the convention:

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Tuesday, January 19, 1892. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1891, for the office of Governor of the State of Iowa, it appeared that Horace Boies received the highest number of votes cast for any one candidate at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and duly qualified.

Signed in the presence of the joint convention, this 19th day of January, A. D. 1892.

A. N. POYNEER,
President of the Senate, and President of the Joint Convention.
W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE, *Teller for the Senate.*
HENRY TURNER, *Teller for the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Tuesday, January 19, 1892. }

This is to certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D., 1891, for the office of Lieutenant Governor of the State of Iowa, it appeared that Samuel L. Bestow received the highest number of votes cast for any

one candidate at said election, for said office, and was therefore declared duly elected to said office, for the term of two years, and until his successor is elected and duly qualified.

Signed in the presence of the joint convention, this 19th day of January A. D., 1892.

A. N. POYNEER,

President of the Senate, and President of the Joint Convention.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST.

J. M. GOBBLE, *Teller for the Senate.*

HENRY TURNER, *Teller for the House.*

Senator Jamison offered the following resolution, which was adopted:

Resolved, That the abstracts of the votes for Governor and Lieutenant Governor from the several counties, be filed in the office of the Secretary of State for future reference.

Senator Jamison offered the following resolution which was adopted:

Resolved, That a committee of three be appointed by the Chair to notify the Governor and Lieutenant Governor elect, of their election.

The Chair appointed as the above committee, Messrs. Jamison, Chase and Dayton.

On motion of Senator Jamison the joint convention dissolved.

After the joint convention in the House the Senate reconvened at 9:30 o'clock P. M.

Moved by Senator Mack that we do now adjourn until 2 o'clock P. M., Wednesday, January 20, 1892.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 20, 1892. }

Pursuant to adjournment the Senate met at 2 o'clock P. M. In the absence of the President was called to order by Secretary J. W. Cliff.

Senator Parrott was chosen as temporary President.

Senator Lewis moved that when the Senate adjourns it adjourn to meet in the Senate chamber immediately after the inaugural ceremonies.

Adopted.

The hour having arrived for joint convention, on motion of Senator Bolter the Senate accompanied the President in a body to the hall of the House of Representatives, to inaugurate the Governor and Lieutenant Governor.

JOINT CONVENTION.

Lieutenant Governor Poyneer, President of the Senate, took the chair, as President of the joint convention, and called it to order at 3:15 o'clock P. M.

Music by the Iowa State band.

Prayer was offered by the Rev. J. H. Lloyd, of Ottumwa, Iowa.

The oath of office was duly administered, in the presence of the joint convention, to Governor-elect Horace Boies and Lieutenant Governor-elect Samuel L. Bestow, by Chief Justice G. S. Robinson, of the Supreme Court of Iowa.

His excellency, Governor Boies, then delivered his inaugural address.

Music by the Iowa State band.

On motion of Senator J. M. Gobble the joint convention was then dissolved.

The Senate reconvened at 4:30 o'clock P. M.

Senator Kelly moved that a committee of two be appointed to conduct Lieutenant Governor Bestow to the chair.

Carried.

Senators Kelly and Parrott were appointed as such committee.

Lieutenant Governor Bestow was then introduced to the Senate by Ex-Lieutenant Governor Poyneer.

President Poyneer then took leave of the Senators, saying:

SENATORS—In taking my final leave of the Senate I desire simply to express to you my sincere and heartfelt thanks for the courtesy and kindness with which I have been treated by every member of this Senate during the few days I have had the honor of presiding over your deliberations. I trust you will have a very pleasant and profitable session of the Senate, and now have the honor of presenting to you your presiding officer, Samuel L. Bestow, lieutenant governor of Iowa.

Upon taking the chair and assuming the gavel, President Bestow addressed the Senate in the following language :

SENATORS—In the progress of events the Twenty-fourth General Assembly is convened and organized, and in obedience to the legally declared will of the electors of Iowa, I am here to assist in your proceedings. With limited experience I enter upon the discharge of the important duties that attach to the position. I shall not hesitate to take counsel of those of you best versed with intricacies of parliamentary practice to the end that the necessary business of the present session may be speedily and properly transacted, and I feel confident that I may rely upon your help in any difficulties I may encounter in the untried field of service before me. Always bearing in mind the fact that you are all equal in personal rights and privileges, on the floor of the Senate, it is and shall be the pleasure of your presiding officer, as it is his duty to accord to each of you his just dues and personal rights. Coming as you do from every section of the State, and having mingled freely with the people, you know well their wants and expectations. You are no doubt aware that the people are looking anxiously for relief from unjust, unequal, and class legislation. That there has been too much enacting of law in the past is evident to every reflecting citizen, and the repeal of obnoxious statutes is a question well worthy your consideration. Looking forward to a pleasant session with you here and a satisfactory one to the people of Iowa, I now assume the duties to which I have been called.

The following resolution was offered by Senator Shields:

Resolved: That to the retiring Lieutenant Governor, Alfred N. Poyneer, this Senate most heartily extends its thanks for his able and satisfactory administration of the onerous duties of his high office.

That his uniform courtesy to the senators personally, entitles him to our lasting and grateful remembrance, and our most cordial good wishes for his future happiness and prosperity.

Resolved: That as a further mark of respect to Lieutenant Governor Poyneer, the Senate hereby presents to him the chair he has occupied during his term of office as President of the Senate.

The resolution was heartily seconded by Senators Bolter and Dodge. Unanimously adopted.

Lieutenant Governor Bestow furnished the Secretary of the Senate the list of the committee appointments, which were read, and are as follows:

STANDING COMMITTEES.

Ways and Means: Senators Groneweg, Kelly, Kent, Mattoon, Mosnat, Stewart, Dent, Gardiner, Yeomans, Gatch, Harsh, Parrott, Mack, Perkins, McCall.

Judiciary: Senators Bolter, Shields, Schmidt, Perry, Mosnat, Dodge, Smith of Wapello, Greene, Mack, Harmon, Finn, Hager, Jamison, Reiniger, McCall.

Appropriations: Senators Cleveland, Mattoon, Rich, Perry, Gardiner, Greene, Oleson, Hurst, Gatch, Brower, Vale, Harsh, Funk, Lewis, Hager.

Suppression of Intemperance: Senators Schmidt, Kelly, Gobble, Mattoon, Groneweg, Perry, Everall, Reiniger, Bailey.

Railways: Senators Yeomans, Schmidt, Kent, Terry, Greene, Hurst, Everall, Brower, Funk, Perkins, Lewis.

Insurance: Senators Dodge, Schmidt, Stewart, Mosnat, Chantry, Conaway, Hager.

Congressional and Judicial Districts: Senators Shields, Dodge, Bolter, Gobble, Kelly, Mosnat, Perry, Cleveland, Harmon, Andrews, Reiniger.

Agriculture: Senators Rich, Kent, Stewart, Bishop, Everall, Smith of Butler, Turner, Vale, Smith of Wright, Palmer, Perkins.

Labor: Senators Dodge, Bishop, Everall, Hurst, Terry, Turner, Reynolds, Lewis, Engle.

Charitable Institutions: Senators Perry, Stewart, Groneweg, Bolter, Cleveland, Dent, Smith of Wright, Andrews, Jamison.

Schools: Senators Kelly, Mattoon, Everall, Oleson, Perry, Smith of Butler, Mack, Parrott, Vale.

Cities and Towns: Senators Gobble, Shields, Groneweg, Schmidt, Mosnat, Smith of Wapello, Gatch, Parrott, Mack.

Public Health: Senators Mattoon, Oleson, Gardiner, Bishop, Hurst, Reynolds, Bailey, Conaway, Engle.

Educational Institutions: Senators Bishop, Dodge, Dent, Yeomans, Rich, Finn, Andrews, Smith of Wright, Engle.

Mines and Mining: Senators Stewart, Kelly, Rich, Hurst, Gardiner, Smith of Wright, Vale, Funk, Perkins.

Senatorial and Representative Districts: Senators Shields, Schmidt, Bolter, Dent, Mack, Jamison, Jewett.

Compensation of Public Officers: Senators Dent, Stewart, Mattoon, Vale, Lewis.

Highways: Senators Terry, Everall, Greene, Stewart, Kent, Gobble, Jewett, Turner, McCall.

Constitutional Amendments and Suffrage: Senators Mosnat, Shields, Dodge, Gobble, Reiniger, Jamison, Finn.

Elections: Senators Smith of Wapello, Bolter, Schmidt, Mosnat, Groneweg, Bailey, Chantry.

Claims: Senators Mosnat, Yeomans, Dent, Harsh, Parrott.

Corporations: Senators Mattoon, Yeomans, Groneweg, Harmon, Gatch.

Public Buildings: Senators Greene, Cleveland, Bishop, Hager, Chantry.

Manufactures: Senators Gardiner, Terry, Greene, Perkins, Conaway.

Military: Senators Brower, Reynolds, Palmer, Shields, Everall.

Rules: Senators Bolter, Schmidt, Cleveland, Gatch, Harmon.

Banks: Senators Kent, Kelly, Dent, Greene, Brower, Harsh, Conaway.

Printing: Senators Everall, Gardiner, Oleson, Rich, Parrott, Funk, Engle.

Commerce: Senators Hurst, Gobble, Cleveland, Terry, Palmer Chantry, Turner.

Retrenchment and Reform: Senators Smith of Butler, Smith of Wapello, Terry, Kent, Palmer, Reynolds, Conaway.

Federal Relations: Senators Perry, Bolter, Groneweg, Kent, McCall, Bailey, Smith of Wright.

Penitentiary and Pardons: Senators Kelly, Bishop, Cleveland, Oleson, Brower, Bailey, Funk.

Horticulture and Forestry: Senators Perkins, Jewett, Smith of Butler.

Fish and Game: Senators Funk, Andrews, Terry.

Public Lands: Senators Finn, McCall, Smith of Butler.

Library: Senators Gatch, Shields, Harmon.

Engrossed Bills: Senators Lewis, Gardiner, Jewett.

Enrolled Bills: Senators Smith of Wapello, Hurst, Chantry.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate file No. 1, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

Read first and second times and referred to the committee on suppression of intemperance.

Senator Bolter moved that the Senate do now adjourn until 2 o'clock P. M., to-morrow.

Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 21st, 1892. }

Senate met pursuant to adjournment at 2 o'clock P. M., and was called to order by President Bestow.

Senator Perry moved that the remarks of ex-Lieutenant-Governor Poyneer upon retiring, and Lieutenant-Governor Bestow upon assuming the duties of the President of the Senate, be printed in the journal.
Carried.

Senator Harsh asked to be relieved from service on committees on elections and claims.

MR. PRESIDENT: Feeling that my duties on Ways and Means, Appropriations and Banks, committees of the Senate, will fully occupy my time I ask to be relieved from service on Elections and Claims Committees.

J. B. HARSH,
Senator 5th District.

His request was granted, and the president named Senator Andrews to fill the vacancy in the committee on claims; and Senator Chantry to the committee on elections.

Senator Bailey offered the following resolution:

Resolved, That the compensation of the Journal Clerks of the Senate be the same as that fixed by statute for the enrolling and engrossing clerks, viz: five (\$5.00) dollars per day.

Resolution adopted.

Senator Bolter offered the following resolution:

Resolved by the Senate, That J. W. Cliff, now acting as Chief Secretary of this body, be and is hereby relieved of any further duties as such acting Secretary and that he is hereby required and ordered to turn over and deliver to, such person as this Senate may elect, to such office of Chief Clerk, all bills, resolutions, books and records, now in said Cliff's possession, pertaining to said office of Chief Clerk of this Senate.

Senator Finn arose to a point of order, stated as follows: "The resolution and its consideration is not in order for the reason that this Senate has permanently organized and has elected a permanent secretary and that the Code of Iowa has fixed the term of such office for the session. That a statute cannot be repealed, or its application prevented by a resolution of this body," which point of order was not sustained by the Chair.

Senator Finn appealed from the decision of the Chair.

On this the yeas and nays were demanded.

The question being: "Shall the decision of the Chair stand?"

The yeas were—

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—24.

The nays were—

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—13.

Absent or not voting—

Gatch, Groneweg, Reiniger—3.

So the decision of the chair was sustained.

Senators Mack, McCall, Engle, Finn, Harsh, Gatch, Brower and Parrott protested against the adoption of the resolution.

Senators Bolter, Perry, Shields and Dodge defended the resolution.

The question being upon the adoption of the resolution, the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans, Mr. President—25.

The nays were—

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—24.

Absent or not voting—

Senators Groneweg and Reiniger.

Senator Groneweg being paired with Senator Reiniger, was excused from voting.

So the resolution was adopted.

The following resolution was introduced by Senator Bolter:

Resolved, That Samuel N. Parsons, of Linn county, be and is hereby elected to the office of permanent chief secretary of the Iowa Senate during the session of the Twenty-fourth General Assembly of this State.

The question being on the adoption of the resolution, the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Greene, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Stewart, Terry, Yeomans—24.

Those absent or not voting were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith (of Wright), Turner, Vale—26.

Senator Bolter moved a call of the Senate.

Those present were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gobble, Greene, Harmon, Harsh, Hurst, Kelley, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Stewart, Terry, Turner, Vale, Yeomans—38.

Those not answering to roll call were:

Senators Engle, Finn, Groneweg, Hager, Palmer, Parrott, Reiniger, Smith (of Wright), Jamison, Lewis, Jewett, Gatch—12.

Senator Finn arose to a point of order, that "a single Senator could not authorize a call of the House," which was not sustained by the chair.

A quorum being present the resolution was declared adopted and Samuel N. Parsons was declared elected permanent secretary of the Senate.

By unanimous consent of the Senate, late Secretary J. W. Cliff made the following statement:

"I wish to say to the Senate that I have been elected secretary of this Senate, and have been sworn to discharge the duties of said office, and am charged by an oath that I hold sacred, as well as the laws of my state, with the custody of the papers in my possession, and must respectfully decline to vacate the office, or turn over the records and papers in my hands to any other person, and shall hold myself in readiness, at all times, to do my sworn duty as secretary of this Senate.

J. W. CLIFF,

Secretary of the Senate of the Twenty-Fourth General Assembly.

Moved by Senator Kelly that the sergeant-at-arms be instructed to remove J. W. Cliff from the Senate Chamber.

The question being on the adoption of the resolution.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner,

Gobble, Greene, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans, Mr. President—25.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—24.

Absent or not voting:

Groneweg and Reiniger.

So the resolution was adopted.

Whereupon, by direction of the President of the Senate, J. W. Cliff was removed from the Senate Chamber by the sergeant-at-arms.

S. N. Parsons, the newly elected Secretary of the Senate, appeared at the bar of the Senate and took the oath of office.

The following protest was filed by Senator Mack:

On behalf of the Republican members of the Senate of the Twenty-fourth General Assembly, we protest against and object to the election of and swearing in and assumption, by S. N. Parsons, of the office of permanent secretary of the Senate, for the following reasons:

First—That the Senate had previously, to-wit, on the 14th day of January, A. D., 1892, proceeded in the regular order of business to the election of permanent officers of said Senate, including permanent secretary, to which office J. W. Cliff was duly and legally elected on said date; and afterwards, to-wit, on the 15th day of January, 1892, the said J. W. Cliff was duly sworn in and entered upon the discharge of the duties of the said office.

Second—That thereafter and until this date, the said Cliff has exercised the functions and performed the duties of such office, and had been acknowledged by the presiding officer of this body, as well as its members, to be the legally elected permanent secretary of the Senate.

Third—That thereafter the said J. W. Cliff was by the president of the Senate and the speaker of the house duly certified to the auditor of State as the legally elected and acting secretary of the Senate for the session.

Fourth—That no charges have been filed against the said J. W. Cliff, either for neglect of duty or for failure to discharge the duties devolving upon him as such Secretary, and the laws of Iowa do not, in our judgment, contemplate or permit the unseating of a permanent officer, properly and legally elected to such office, without cause.

Fifth—That the action of the Democratic members of this body, in introducing the resolution to unseat the said Cliff, was irregular, uncalled for, and in violation of both precedent and law.

Sixth—That the action of the President of the Senate in permitting a call of the Senate to be made with the request of but a single member, and after a vote had been taken upon a resolution naming another secretary, and before announcing the result of the vote on such resolution, and then declaring that the result of

the roll call showed a quorum present on the previous ballot, was not justified by the facts, as shown by the records, and was irregular and unwarranted, and did not justify the declaration that said Parsons had been elected such secretary.

EDGAR E. MACK,
MATT. PARROTT,
A. J. CHANTRY.

Moved by Senator Bolter that the Senate do now adjourn until Friday, January 22nd, 1892, at 10 o'clock A. M.

Senator Parrott moved to amend by making the special order for tomorrow morning, that of taking up the concurrent resolution relative to visiting Committees.

The amendment was accepted, and the motion carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, January 22, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by President Bestow.

Prayer by Rev. B. F. W. Cozier, of Colfax, Iowa.

The President made the following announcement:

The chair desires to announce the following changes in committee memberships: Senator Harsh is relieved from service on the Committee on Elections at his request, and Senator Chantry is substituted in his place; Senator Conaway is made a member of the Committee on Public Health, in place of Senator Chantry.

Senator Stewart offered the following resolution:

Resolved, That the President of the Senate appoint Mr. George Craig, janitor of the Senate chamber.

Adopted, and Mr. Craig was appointed.

INTRODUCTION OF BILLS.

By Senator McCall, Senate File No. 2, a bill for an act entitled an act relating to the stopping of railroad passenger trains.

Read first and second times and referred to the Committee on Railroads.

By Senator Dent, Senate File No. 3, a bill for an act amendatory of chapters 71 and 73 of the acts of the Twenty-second General Assembly, and to provide for local option, allowing a vote of the electors as to granting license for saloons and liquor stores; also allowing the manufacture and sale of spirituous, malt and vineous liquors in respective cities, towns and townships voting for license.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Dent, Senate File No. 4, a bill for an act concerning the inspection of intoxicating liquors.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Kent, by request, Senate file No. 5, a bill for an act to pay Lieutenant Rufus Goodnough for services rendered in the late war of the rebellion.

Read first and second times and referred to the Committee on Claims.

By Senator Kent, by request, Senate file No. 6, a bill for an act to pay Captain Washington Galland for services rendered in the late war of the rebellion.

Read first and second times and referred to the Committee on Claims.

By Senator Stewart, Senate file No. 7, a bill for an act to provide for printing and distributing ballots at public expense, and regulating the manner of conducting elections.

Read first and second times and referred to the Committee on Elections.

The concurrent resolution relative to visiting committees was taken up, it being a special order for the hour.

Senator Mack moved that the special order of business immediately following the special order relative to visiting committees be the introduction of bills by roll-call.

Carried.

Mr. George Craig appeared at the bar of the Senate and took the oath of office as janitor of the Senate chamber.

The question now being: "Shall the Senate concur in the House resolution relative to the appointment of visiting committees?"

Senators Bolter, Harsh, Cleveland and others spoke against the resolution.

Senator Perkins, Finn and others spoke in favor of the resolution.

Senator Engle arose to a point of order, which was sustained by the Chair.

The question now being, shall the amendment offered by Senator Lewis, that "said committee shall examine and report whether the provisions of a law passed by the Twenty-third General Assembly, entitled 'an act relating to the drawing of money from the State treasury,' has been complied with," be adopted?

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—47.

Absent or not voting:

Senators Groneweg, Reiniger, Shields—3.

So the amendment was adopted.

The question now being upon the adoption of the concurrent resolution as amended by the Senate.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Chantry, Conaway, Finn, Funk, Gobble, Hager, Harmon, Jamison, Lewis, Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Reynolds, Smith of Butler, Smith of Wright, Turner, Vale—22.

The nays were:

Senators Andrews, Bolter, Brower, Cleveland, Dent, Dodge, Engle, Everall, Gardiner, Gatch, Greene, Harsh, Hurst, Jewett, Kelly, Kent, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Terry, Yeomans—26.

Absent or not voting:

Senators Groneweg and Reiniger.

So the Senate refused to concur in the resolution.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate file No. 8, a bill for an act to protect associations and unions of workingmen in their labor, trade-marks and forms of advertising.

Read first and second times and referred to the Committee on Labor.

By Senator Dodge, Senate file No. 9, a bill for an act to provide for a free public employment office in connection with the Bureau of Labor Statistics.

Read first and second times and referred to the Committee on Labor.

Senator Dodge asked to be excused until Monday, January 25, 1892.
Granted.

Senator Dodge announced that he is paired with Senator Funk until January 25, 1892.

Senator Kent announced that he is paired with Senator Vale until Tuesday, January 26, at 2 o'clock.

On motion of Senator Kelly the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 2:00 o'clock P. M., and was called to order by President Bestow.

Senator Lewis offered the following resolution and moved its adoption:

WHEREAS, A number of beautiful and delicious apples have been placed upon our desks, being a part of the exhibit of Mills county at the meeting of the State Horticultural Society, now adjourned, be it

Resolved, That our thanks be hereby tendered the fruit growers of Mills county for their splendid exhibit and their kind remembrance.

The resolution was adopted.

Senator Groneweg offered the following resolution and moved its adoption:

Resolved, That a special committee of five to arrange a schedule for hours of meeting of the Standing Committees of the Senate, be appointed by the Chair.

The resolution was adopted.

The president announced as such committee, Senators Groneweg, Bolter, Cleveland, Parrott and Chantry.

Senator Mosnat offered the following resolution and moved its adoption:

Resolved, That Clarence Logan be retained as an additional Page of this Senate.

Seconded by Senator Perkins.

Senator Finn moved that the resolution be referred to the committee on retrenchment and reform.

By unanimous consent the motion was withdrawn.

The question now being on the adoption of the resolution, it was adopted.

The following pairs were announced: Senator Conaway with Senator Smith, of Wapello, until the return of both.

Senator Mosnat with Senator Harsh, until Monday noon.

The hour having arrived for the special order, being the introduction of bills by roll call, the Senate took up the special order.

President Bestow called Senator Kelly to the chair.

INTRODUCTION OF BILLS.

By Senator Bailey, Senate file No. 10. A bill for an act to authorize private banking firms, associations, etc., to incorporate under the general laws of the State.

Read first and second times and referred to the Committee on Banks and Banking.

By Senator Bishop, Senate file No. 11. A bill for an act to amend chapter 193, Laws of 1884, (amendatory of Code, chapter 3, title 12,) relating to changing the rate of interest for the investment of the endowment fund of the Iowa State Agricultural College and farm.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Bishop, Senate file No. 12. A bill for an act to amend chapter 34, of the laws of the 23rd General Assembly, of Iowa, relating to the protection and preservation of fish.

Read first and second times and referred to the Committee on Fish and Game.

Senator Cleveland introduced a joint resolution and memorial to the United States congress, relative to the election of United States senator by a direct vote of the people.

Referred to the Committee on Constitutional Amendments.

By Senator Cleveland, Senate file No. 13. A bill for an act to apply the provisions of chapter 58, Acts of the Seventeenth General Assembly, and amendments thereto, to existing bonded indebtedness of counties, cities and towns.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Dent, Senate file No. 14. A bill for an act to establish a normal school at Le Mars, Plymouth county, Iowa, and appropriating one hundred thousand dollars therefor.

Read first and second times and referred to the Committee on Normal Schools.

By Senator Engle, Senate file No. 15. A bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States, and to protect said workmen in the management and control of their own savings.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Engle, Senate file No. 16. A bill for an act to amend section 17, chapter 28, of the acts of the Twenty-second General Assembly, so as to prohibit increased freight rates and higher classification of freights on railroads within the State.

Read first and second times and referred to the Committee on Railroads.

By Senator Everall, Senate file No. 17. A bill for an act to amend section 2, chapter 103, laws of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 18. A bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

Read first and second times and referred to Committee on Ways and Means.

By Senator Gatch, Senate file No. 19. A bill for an act to impose a collateral inheritance tax.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Gatch, Senate file No. 20. A bill for an act to promote historical collections in the capitol of the State.

Read first and second times and referred to the Committee on Library.

By Senator Groneweg, Senate file No. 21. A bill for an act to provide for the establishment of the office of State examiner of public accounts.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Groneweg, Senate file No. 22. A bill for an act to establish and maintain a normal school for the instruction and training of teachers, to be known as the "Southwestern State Normal School," to be located at Council Bluffs.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Groneweg, Senate file No. 23. A bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Groneweg, Senate file No. 24. A bill for an act fixing the liability of sleeping car companies for the loss or damage to personal property carried by them; fixing the rate of charges, and providing for violations of this act.

Read first and second times and referred to the Committee on Railroads.

By Senator Groneweg, Senate file No. 25. A bill for an act to define the liability of fire and tornado insurance companies in certain cases.

Read first and second times and referred to the Committee on Insurance.

By Senator Groneweg, Senate file No. 26. A bill for an act to amend sections 1124 and 1149 of the Code, relating to joint stock insurance companies.

Read first and second times and referred to the Committee on Insurance.

By Senator Hager, Senate file No. 27. A bill for an act to amend sections 2 and 3 of chapter 22, of the acts of the Eighteenth General Assembly, in reference to reports made by clerk of court to Secretary of State, and county auditor to clerk.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hager, Senate file No. 28. A bill for an act to amend sections 3061 and 3106, of the Code, relating to the rate of interest in certain cases.

Read first and second times and referred to the Committee on Judiciary.

By Senator Lewis, Senate file No. 29. A bill for an act to assist farmers in holding farmers' county institutes for educational purposes, and for developing the agricultural resources of the State, and for appropriating money therefor.

Read first and second times and referred to the Committee on Agriculture.

By Senator Lewis, Senate file No. 30. A bill for an act to repeal section 963, of the Code, in reference to costs of appeals in locating highways, and to enact a substitute in lieu thereof.

Read first and second times and referred to the Committee on Highways.

By Senator Mosnat, Senate file No. 31. A bill for an act to repeal chapter 117 of the Twenty-first General Assembly, and to enact a substitute therefor; and to provide for the levy of executions and attachments upon personal property encumbered by mortgage or otherwise.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, Senate file No. 32. A bill for an act to prevent the pollution of rivers and sources of water supply.

Read first and second times and referred to the Committee on Public Health.

By Senator Perkins, Senate file No. 33. A bill for an act to provide for holding farmers' institutes in the State of Iowa, and providing for the expenses thereof.

Read first and second times and referred to the Committee on Agriculture.

By Senator Perkins, Senate file No. 34. A bill for an act to better equalize taxation, and to instruct assessors in performing their duties.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Perry, Senate file No. 35. A bill for an act to provide for compensation of mayors of cities and towns where performing the duties of justices of the peace.

Read first and second times and referred to the Committee on Judiciary.

By Senator Perry, Senate file No. 36. A bill for an act relating to the assessment of mortgages given on real estate.

Read first and second times and referred to the Committee on Judiciary.

By Senator Perry, Senate file No. 37. A bill for an act relating to the assessment of moneys and credits.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Schmidt, Senate file No. 38. A bill for an act granting additional powers to cities organized under special charters.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Schmidt, Senate file No. 39. A bill for an act increasing the number of judges in the Seventh Judicial District.

Read first and second times and referred to the Committee on Judicial Districts.

By Senator Smith of Wapello, Senate file No. 40. A bill for an act to legalize certain acts of the county boards of supervisors, of the State of Iowa, in the submission to the people of the proposition to borrow money and issue bonds, for the purchase of court house sites and the erection of county court houses.

Read first and second times and referred to the Committee on Judiciary.

By Senator Smith of Wapello, Senate file No. 41. A bill for an act to relieve property from double taxation, and taxing the interests of lien holders in real estate.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Smith of Wapello, Senate file No. 42. A bill for an act to amend section 35 of the Code, as amended by chapter 132, laws of the Sixteenth General Assembly, relative to printing session laws.

Read first and second times and referred to the Committee on Judiciary.

By Senator Vale, Senate file No. 43. A bill for an act to prevent railway companies, operating railways in the State of Iowa, from compelling their employes to furnish, at their own expense, any uniform or equipments to be used in the performance of duty as such employes, and providing penalties for violations of the same.

Read first and second times and referred to the Committee on Railroads.

By Senator Vale, Senate file No. 44. A bill for an act to amend section 3977 of the Code of Iowa, relative to malicious injury to stock.

Read first and second times and referred to the Committee on Agriculture.

Yesterday's Journal was corrected and approved.

Senator Parrott moved that the rules of the Twenty-third General Assembly be adopted to govern this Senate until the Committee on Permanent Rules make their report.

The motion was withdrawn.

On motion, House messages were taken up, and as there appeared to be no messages upon which the Senate could take action, they proceeded to the introduction of petitions and memorials.

President Bestow resumed the chair.

PETITIONS AND MEMORIALS.

Senator Andrews presented memorial of Stillman Post, No. 194, G. A. R., department of Iowa, of Wauke, Iowa, relating to Iowa Soldiers' Monument.

Referred to Committee on Military.

Senator Engle presented joint resolution and memorial to elect United States Senators by a direct vote of the people.

Referred to Committee on Federal Relations.

Senator Dent presented petition of M. Beck, J. P. Beck, F. T. Beck for an act amending section 3074, chapter 2, title 18, of the Code.

Referred to Committee on Judiciary.

Senator Chantry presented petition of veterans of Tabor, Iowa, in reference to Soldiers' Monument.

Referred to Committee on Military.

Senator Funk presented petition of Henry Dillon Post, G. A. R., relative to the building of cottages in connection with the Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Perkins presented petition of W. H. Wilson and sixty-three other citizens of Fremont county, asking for the adoption of the cottage plan of homes for soldiers at Marshalltown.

Referred to Committee on Military.

Senator McCall moved that the Senate do now adjourn until 10 o'clock to-morrow morning.

Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, January 23, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by President Bestow.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

On motion of Senator McCall, Myer Cohen was elected a page of the Senate.

Senator Perry arose to a question of privilege, relating to a statement in the morning papers the purport of which was that the Secretary of State, Speaker of the House and State Auditor refused to recognize Secretary Parsons as Secretary of the Senate.

Senator Finn presented joint resolution and memorial to the congress of the United States in reference to the special tax for retail liquor dealers.

Referred to Committee on Suppression of Intemperance.

Senator Everall presented resolution in regard to Soldiers' memorial by Hervey Dix, Post No. 371, G. A. R.

Referred to Committee on Military.

Senator Groneweg asked consent of the Senate to have printed three hundred extra copies of Senate File No. 23.

Granted.

Senator Dent asked consent of the Senate to have printed three hundred extra copies of Senate file No. 3.

Granted.

INTRODUCTION OF BILLS.

By Senator Groneweg, Senate file No. 45, a bill for an act to change the name of the Iowa Institute for the Education of the Deaf and Dumb to the Iowa School for the Deaf.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Kelly, Senate file No. 46, a bill for an act to so amend sections 1717 and 1817 of the Code as to require proper notice to be given of the special purpose of any tax proposed to be voted at the annual March meeting of independent and township districts.

Read first and second times and referred to the Committee on Schools.

By Senator Kelly, Senate file No. 47, a bill for an act to repeal section 906 of the Code of 1873, and to enact a substitute therefor, in relation to licensing peddlers.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Kelly, Senate file No. 48, a bill for an act to fix and define the liability of insurance companies.

Read first and second times and referred to the Committee on Insurance.

By Senator Kelly, Senate file No. 49, a bill for an act to repeal chapter 59 of the Seventeenth General Assembly, and to enact a substitute therefor in relation to taxation of telegraph and telephone lines.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Reynolds, Senate file No. 50, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Yeomans, Senate file No. 51, a bill for an act to protect the breeders of trotting and pacing horses, and fair associations of the State of Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Yeomans, Senate file No. 52, a bill for an act to protect associations and unions of workingmen and persons in their labors, trade-marks and forms of advertising.

Read first and second times and referred to the Committee on Labor.

By Senator Conaway, Senate file No. 53. A bill for an act to amend section 2527, chapter 8, Code of Iowa, granting to physicians and surgeons certificates of pharmacy.

Read first and second times and referred to the Committee on Public Health.

By Senator Dent, Senate file No. 54, a bill for an act to protect stock breeders within the State.

Read first and second times and referred to the Committee on Fish and Game.

By Senator Cleveland, Senate file No. 55, a bill for an act to repeal sections 10, 11, 12, chapter 165, laws of the Seventeenth General Assembly, and to enact a substitute therefor; also to amend sections

9 and 13, chapter 165, laws of the Seventeenth General Assembly in reference to capital punishment:

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

By Senator Cleveland, Senate file No. 56, a bill for an act to authorize purchasers at judicial sales to pay taxes, and such taxes to become a judgment lien.

Read first and second times and referred to the Committee on Judiciary.

By Senator Cleveland, Senate file No. 57, a bill for an act to repeal section 3792 of Code, in reference to compensation of county recorder.

Read first and second times and referred to Committee on Retrenchment and Reform.

By Senator Cleveland, Senate file No. 58, a bill for an act to amend sections 812, 822, 825 and 830, relating to assessment of taxes.

Read first and second times and referred to Committee on Retrenchment and Reform.

By Senator Engle, Senate file No. 59, a bill for an act to repeal chapter 59 of the Seventeenth General Assembly in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Engle, Senate file No. 60, a bill for an act to settle differences between parties by arbitration.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Engle, Senate file No. 61, a bill for an act to provide for the assessment of railroad property by the boards of supervisors.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Terry, Senate file No. 62, a bill for an act to secure more fully the independence of electors at public elections, to prevent intimidations and bribery, to secure the secrecy of the ballot and to provide for the use of Meyers' American Ballot Machine.

Read first and second times and referred to the Committee on Elections.

By Senator Schmidt, Senate file No. 63, a bill for an act to provide for payment of fees in certain cases by the county to certain cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Palmer, Senate file No. 64, a bill for an act making appropriation for the Hospital for the Insane at Mount Pleasant, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Everall, Senate file, No. 65, a bill for an act to give boards of supervisors power to select one additional newspaper in which to publish their proceedings.

Read first and second times and referred to the Committee on Printing.

By Senator Perry, Senate file No. 66, a bill for an act to amend section 3894 of the Code of Iowa, relating to breaking and entering railroad cars.

Read first and second times and referred to the Committee on Railroads.

By Senator Gatch, Senate file No. 67, a bill for an act imposing a tax on corporate franchises and shares of stock.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Funk, Senate File No. 68, a bill for an act to amend section 1,967 of the Code of 1873, relating to defective acknowledgment of deeds, mortgages and other instruments in writing.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kelly, Senate File No. 69, a bill for an act to amend section No. 1, chapter 24, acts of the Twentieth General Assembly, with reference to railroad crossings.

Read first and second times and referred to the Committee on Railroads.

By Senator Conaway, Senate File No. 70, a bill for an act to amend section 2,546 of chapter 8, of the Code of Iowa, defining the standing of medical colleges.

Read first and second times and referred to the Committee on Public Health.

PETITIONS AND MEMORIALS.

Senator Yeomans presented the following petition, which was signed by forty-nine ladies and fourteen gentlemen of Sac City, Iowa:

To the Honorable, the Twenty-fourth General Assembly of the State of Iowa:

WHEREAS, In the work of the Women's Christian Temperance Union, among fallen women, we have found the class addicted to the use of strong drink, and degraded by vicious habits, not amenable to kindness; and

WHEREAS, Our experience has emphasized the necessity of having a reformatory prison, where such class can be placed under the restraint of the law; and

WHEREAS, There are now in our penal institutions no proper provisions for the care of women criminals. We, the citizens of the State of Iowa, and county of Sac, do, therefore, petition your honorable body to enact laws necessary to the establishment of such a reformatory prison, and we do further petition that said institution shall be officered by Christian women, and that all women criminals shall be incarcerated therein.

Referred to Committee on Charitable Institutions.

Senator Reynolds presented joint resolution and memorial asking Congress to pass the "Option Bill."

Referred to Committee on Federal relations.

Senator Lewis presented petition of David Harding Post No. 28, Allerton, Iowa: 1. Against Memorial Hall. 2. Against Monument. 3. In favor of family cottages at Marshalltown, Iowa.

Referred to Committee on Military.

On motion, Mrs. Nellie Thorp, of Polk county, and Mrs. M. E. Ready were elected paper-folders, and appeared at the bar of the Senate and took the oath of office.

The journal of yesterday was corrected and approved.

Senator Finn introduced a joint resolution relative to the receipt of the direct war tax, from the general government.

Referred to the Committee on Ways and Means.

Senator Gatch introduced the following concurrent resolution:

Resolved by the Senate, the House concurring:

That a committee consisting of three from the Senate and three from the House be appointed to arrange with the resident clergymen of Des Moines, for opening the daily sessions of the Senate and House with prayer, and with respect to compensation therefor.

Senator Perry moved the adoption of the resolution.

Adopted.

Senator Perry moved that 300 copies of all bills and joint resolutions be printed for distribution to Senators.

Carried.

Senator Gatch moved that there be 300 additional copies of Senate file No. 18 printed, making in all 600 printed copies of this bill.

Carried.

Senator Jamison announced that he is paired with Senator Perry until 9 o'clock A. M., Tuesday, Jan. 26, 1892.

The following concurrent resolution was introduced by Senator Gobble, and requested that action be postponed to some future day, and that it be printed in the journal.

Resolved by the Senate, the House concurring:

That the President of the Senate and Speaker of the House be and are hereby directed to appoint a committee of five (5) from each of their respective bodies to act as a special joint standing committee on State Institutions. Said committee is specially charged to inquire into the condition and necessities of institutions which have received aid from the State within the past two years, and are asking for appropriations from the Twenty-fourth General Assembly. Said committee is also charged to collect all the information convenient for them to do so, regarding the said institutions as follows, to-wit:

First. A statement showing expenditures fully itemized and appropriations made by the Twenty-third General Assembly.

Second. Whether there has been any diversion of the funds from the purposes of the appropriations.

Third. Whether Chapter 67 of the Seventeenth General Assembly has been strictly complied with.

Fourth. As to the sanitary condition of such institutions and the manner of fire escapes.

Fifth. A full list of employees and their compensation.

Sixth. The average cost per week of supporting each inmate.

Seventh. What repairs, changes, or new structures are asked for by said institution and the necessity therefor.

Eighth. Whether the provisions of the law passed by the Twenty-third General Assembly entitled, "An act relating to the drawing of money from the State Treasury," has been complied with.

Ninth. All other information regarding purchases of supplies, treatment of inmates, and general management, as it may be possible for them to obtain.

Said committee is authorized to employ a clerk who shall be a good accountant at a salary not to exceed five dollars per day, and to employ such other expert accountants as they may need at a compensation not to exceed ten dollars per day for the time they are actually employed.

Said committee shall have the power to appoint from their number such sub-committee as they may deem necessary, to visit any or all of said institutions, at any time said committee may deem proper. Said committee shall be allowed the usual mileage for visiting said institutions.

They shall also have the power to send with such committees their clerk or expert accountant, who shall receive the same mileage as is allowed members of the said committee.

Said committee is also authorized to hold sessions at a designated room in the Capitol building, summon witnesses, compel the production of books and papers, and to do generally anything fit and proper in the judgment of said committee, to properly and effectually carry out the spirit and intent of this resolution.

Said committee to be excused from other committee work and from attendance on the sessions of the respective bodies when necessarily absent on work of said committee.

Said committee shall keep on file in their committee room all information as obtained for the particular use and information of the appropriations committee of each body of this General Assembly, and said committee shall, at the request of either of said appropriation committees, procure any and all information that may be required of them in the best and most expeditious manner possible.

Ordered printed in the Journal.

Senator Gatch moved that the Senate do now adjourn until two o'clock p. m., Monday, January 25, 1892.

Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, Jan. 25, 1892. }

Senate met pursuant to adjournment at 2 o'clock P. M.

In the absence of the President, the Senate was called to order by Secretary Parsons, and, on motion of Senator Perkins, Senator Kelly was chosen President *pro tem*.

Senator Jamison offered the following resolution and moved its adoption.

Resolved, That the President of the Senate be instructed to appoint James Boggess as page for the use of the Secretary of the Senate.

On motion of Senator Bolter, the resolution was laid on the table.

Senator Bolter, for the Committee on Rules, made the following report and moved their consideration and adoption:

MR. PRESIDENT: Your Committee on Rules have instructed me to report and recommend:

First—That the standing rules of the Senate of the Twenty-third General Assembly be amended by adding thereto an additional rule, number twenty-five, and as follows: "No special order shall be entered upon the calendar so long as any special order previously entered thereon remains undisposed of."

Second—That rule 39 on page 9, of said Senate rules be amended by adding after the word "any" in the eighth line from the bottom on said page nine the word "five," and by changing the word "member" in said line to "members," and further amending said rule on page 10, by striking out the words "no member" in the fifth line from the top on page 10, and inserting the words "not five members," and that when so amended that said rules be adopted by the Senate until otherwise ordered.

L. R. BOLTER, *Chairman*.

The question now being on the adoption of the report of the Committee on Rules,

The report was adopted.

Senator Bolter moved that the Senate rules of the Twenty-third General Assembly, as amended by the report of the Committee on Rules be spread upon the journal, and they be the rules to govern the Senate of the Twenty-fourth General Assembly.

Carried.

SENATE RULES.

REGULAR ORDER OF DAILY BUSINESS.

The following order shall govern:

1. Presentation of petitions or memorials, addressed to the Senate or to the General Assembly.
2. Introduction of bills.
3. Resolutions.
4. Communications on the President's table, including House messages.
5. Reports of Standing Committees, in the order in which they stand in the rules, except the Committee on Engrossed and Enrolled Bills, Rules and Printing.
6. Reports of Select Committees.
7. Third reading of bills.
8. Unfinished business before the Senate.
9. Bills and other matters.
10. General orders of the day. •

STANDING RULES.

1. The President shall take the chair at the hour to which the Senate is adjourned, and call the Senate to order; and if a quorum be present, he shall proceed with the regular order of daily business, unless otherwise ordered by the Senate, or unless a special order for the day shall interfere therewith. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate. He shall appoint all committees, unless otherwise especially ordered. Immediately preceding the adjournment of each morning session, or, in case it cannot be done during that session, then as soon after the convening of the next following session as he may find most convenient, the President shall call for corrections of the journal of the last day's proceedings. He shall then cause any mistakes therein to be corrected by the Secretary, and the journal shall then be approved.

2. The Senate shall, at its pleasure, elect a President *pro tem.*, who shall hold his office during the remaining portion of the time for which the President was elected; and when the President shall from any cause be absent, the President *pro tem.* shall preside, except when the Chair is filled by appointment by the President.

3. There shall be appointed by the Lieutenant Governor, at each session of the Senate, to hold their positions during such session, but subject to be discharged by the President of the Senate for inefficiency or continued misbehavior, or other reasons in his judgment justifying such discharge, two paper folders and six messengers for the Senate. And the President may appoint other paper folders and messengers in the place of any discharged.

4. One-fourth of the members may have a call of the Senate, and absent members sent for, and their attendance enforced.

5. When a member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat and respectfully address himself to Mr. President, and shall confine himself to the question under debate, avoid personalities, and the imputation of improper motives.

6. When the vote is taken *viva voce*, questions shall be distinctly put in this form, viz: "As many as are of the opinion (as the case may be) say 'aye.'" And after the affirmative voice is expressed: "As many as are of the contrary opinion, say 'no.'" If the President doubt, or a division be called for, the Senate shall divide—those in the affirmative of the question shall first rise from their seats, and afterward those in the negative.

7. Every member present when a question is put shall vote, unless he shall, for special cause, be excused by a vote of the Senate; but no member shall vote on any question in the event of which he is directly and personally interested, or in any case where he was not present when his name was called in the taking of the vote. *Provided*, that any member who was absent by leave of the Senate may vote at any time before the result is announced.

8. All motions (except to adjourn, postpone, or commit,) shall be reduced to writing, if required by any member of the Senate. Any motion or resolution may be withdrawn by the mover; *provided*, the same has not been amended by the Senate, and that no amendment is pending thereto.

9. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely

which several motions shall have precedence in the order in which they are named; and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition. A motion to strike out the enacting clause of a bill shall have the precedence of a motion to amend; and if carried, shall be considered equivalent to the rejection of the bill.

10. A motion to adjourn, to lay on the table, and for the previous question, shall be decided without debate, and all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided—whether an appeal or otherwise—without debate.

11. The previous question shall be in this form: “Shall the main question be now put?” It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote upon pending amendments and then upon the main question, except that the member in charge of the measure under consideration shall have ten minutes in which to close the discussion, immediately before the vote is taken upon the main question. If the previous question is decided in the negative, the Senate shall proceed with the matter before it, the same as though the previous question had not been moved.

12. Any member may call for a division of a question, which shall be divided, if it comprehends propositions in substance so distinct that one being taken away substantive propositions shall remain for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendments to the matter attempted to be stricken out, nor a motion to strike out and insert.

13. When a motion or question has been decided, any member having voted with the prevailing side, may move a reconsideration, on the same or next legislative day.

14. A motion to print any paper presented to the Senate may, on motion, be referred to the Committee on Printing, whose duty it shall be to report at the earliest time practicable, on the propriety of printing.

15. Every bill shall be introduced on the report of a committee, or by leave, and shall at once be given its first reading. Every bill and joint resolution shall have received three several readings previous to its passage; but no bill or joint resolution shall have its second

and third readings on the same day, without a suspension of this rule ; and every bill and joint resolution shall express in its title the object thereof.

16. Before the same is presented, there shall be endorsed on each petition a brief statement of the subject matter thereof, and on each bill and joint resolution the title thereof, and in either case the name of the Senator presenting the same. In presenting a petition, the Senator shall briefly state from his place in the Senate Chamber the subject matter to which the petition relates.

17. The first reading of a bill or joint resolution shall be for information, and, if objection be made to it, the question shall be, "Shall the bill (or joint resolution, as the case may be), be rejected ?" If no objection be made, or the question to reject be lost, the bill or joint resolution shall go to its second reading without further question.

18. Upon the second reading of a bill or joint resolution, the President shall state it as ready for commitment, amendment, or engrossment, and if committed, then the question shall be, whether to a select or a standing committee, or a committee of the whole. If to a committee of the whole, the Senate shall determine on what day. But if the bill or joint resolution be ordered to be engrossed, it shall be in order for its third reading any session after that day. No bill or joint resolution shall be committed or amended until it shall have been twice read.

19. When a question is lost on engrossing a bill, or joint resolution, for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day. After a third reading of a bill or joint resolution, no amendment (except to fill blanks) shall be received, except by unanimous consent of the members present ; and the vote on its final passage shall be immediately taken without debate.

20. A bill or joint resolution may be committed at any time previous to its third reading.

21. In filling blanks, the largest sum and longest time shall be first put.

22. On the return of a bill, or joint resolution, from the House, with an amendment, it shall be placed with the third reading of bills, unless the Senate shall otherwise order. On the question of adopting the amendment the vote shall be taken on the final passage of the bill ; and if the amendment be adopted by a constitutional majority, no further vote is necessary.

23. All bills and joint resolutions introduced, except local or legalizing bills, shall be printed, unless otherwise ordered by the Senate, and committees may order to be printed any bills under consideration by them, and any substitutes for bills or resolutions reported by them.

24. It shall be in order for the Committee on Engrossed and Enrolled Bills, on Rules and on Printing, to report at any time, when no member is addressing the Senate.

When any special order of the day is not proceeded with on the day assigned, it shall stand as a general order on each succeeding day until disposed of, unless otherwise ordered, but its consideration cannot be moved until that order of business is reached, when it shall be taken up in order of its file.

25. No special order shall be entered upon the calendar so long as any special order previously entered thereon remains undisposed of.

26. When the pending question is interrupted by a "Special Order," it shall, upon the disposal of the special order, be before the Senate in the same stage as if it had not been so interrupted.

27. Committees are permitted to employ clerks by the majority vote of the whole committee. The clerk shall be selected by such vote, and in like manner may be discharged for inefficiency or when the services of the clerk become unnecessary.

28. Clerks of Senate Committees, when not engaged in duties pertaining to such committees or work assigned them by the committee chairman, shall be subject to the direction of the Secretary of the Senate, for any labor connected with the duties of his position or his assistants. The Secretary shall, from time to time, make detail from said clerks to assist in preparing copy or correcting proof for the daily journal.

29. All reports of committees on bills or resolutions shall be made in duplicate and be accompanied with the original bill or resolution to which the report relates. Providing that this rule shall not apply to the reports of Committees on Enrolled and Engrossed Bills.

30. When a vote is taken in any committee upon any bill or resolution before it, or on any motion relating to the merits thereof, the chairman shall see that no person is present except the members and clerk of said committee, unless otherwise ordered by the committee.

31. Smoking in the Senate Chamber is hereby prohibited while the Senate is in session. And any officer or employe who shall indulge in smoking while on duty in the Senate Chamber or doorways leading thereto, shall thereby subject himself to liability of discharge.

32. Admission to the floor of the Senate Chamber shall be granted by the door-keeper to the Governor and his Private Secretary, mem-

bers of the House of Representatives, the State officers and their deputies, judges of the several courts, ex-members of the Legislature, ex-State officers, and the regular reporters of the Senate, and clerks of committees. No persons, except those herein specified, shall be admitted, except upon special permission of the President of the Senate, or of a member of the Senate. And no person shall be permitted by members, or otherwise, to come upon the floor of the Senate to solicit or influence Senators in their official action, or to sell any article or to solicit subscriptions.

33. In case of disturbance or disorderly conduct in the lobby or gallery, the presiding officer shall have the power to order the same cleared.

34. Before acting on executive business, the Senate Chamber shall be cleared, by direction of the President, of all persons except members, the Secretary and Sergeant-at-Arms; the members enjoined, and the Secretary and Sergeant-at-Arms sworn, to observe secrecy.

35. When an adjournment has been ordered by a vote of the Senate, and before adjournment is declared by the President of the Senate, it shall be in order for the chairmen of the several committees to announce in open Senate the time and place of meeting of their respective committees.

36. No standing rule or order of the Senate shall be rescinded or suspended, nor shall any matter, tabled upon motion, be taken up, unless by a vote of two-thirds of the members present, except an order fixing the hour to which the Senate shall stand adjourned.

37. Resolutions, including concurrent and joint resolutions, shall not be acted upon by the Senate upon the day the same are introduced or received by the Senate, but shall lie upon the table for one legislative day, if any member object to the immediate consideration thereof. But if no member object, the same may have immediate consideration. Nothing in this rule shall abridge or prevent the usual right of reference to committee.

38. The rules of parliamentary practice comprised in Cushing's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules or orders of the Senate, and joint rules of the Senate and House of Representatives.

39. The duties of the officers and employes of the Senate are as stated in the paragraph relating thereto, and appended to these rules.

The SECRETARY of the Senate shall have charge of the Secretary's desk, and shall see that no one is permitted therein except himself and those assisting him. He shall be responsible for the custody

and safe-keeping of all bills, resolutions and other matters laid before or introduced into the Senate, except while the same are in the possession of the committee to whom the same shall have been referred, and when delivering the same to said committee he shall take a proper receipt therefor. He shall see that the journal of each day's proceedings is correctly and fully kept, and fully made up before the next day's session, and be responsible for its safe-keeping. He shall have control of Room 25, which is assigned to said Secretary for the use of himself and his assistants. He shall endorse on every bill or joint or concurrent resolution, the date of its introduction and by what Senator, or of its receipt from the House, and also what action relating thereto is taken by the Senate. The Assistant Secretaries shall be under his direction, and he shall assign them their several duties in connection with the duties of the Secretary's desk.

The SERGEANT-AT-ARMS shall wear the appropriate badge of his office; shall attend the Senate during its sessions; shall aid in the enforcement of order, under the direction of the President of the Senate; shall execute the commands of the Senate from time to time, together with such process, issued by the authority thereof, as shall be directed to him by the presiding officer; shall see that the rule prohibiting smoking in the Senate Chamber is strictly enforced; shall, upon the request of any five members, have the Senate Chamber lighted up during any evening within the session, except Sunday, to an hour not later than 10 P. M.; shall see that no person, except one authorized to do so, disturbs or interferes with the desks of the members, or with the books, papers, etc., thereat, shall see that the printed bills and daily journals are, at the earliest practicable period, properly distributed and filed upon the desks of Senators; shall have charge of the files in the Senate bill room, and shall see that no copy of bill is given out except to or upon the order of the President, a Senator, or State officers; shall see that an additional door-keeper is detailed for duty at the Senate Chamber upon each day within the session, except Sunday, from 8:30 A. M. to 10 P. M., but should not five members of the Senate desire to occupy the chamber to that hour, the detail may be relieved at 9 P. M.; shall have charge of the messengers of the Senate and see that they severally perform their duties, and shall promptly report to the President of the Senate any inefficiency or violations of duty on the part of said messengers. He shall direct the file clerk and bill clerk, if any employed, in the discharge of their duties.

The door-keeper of the Senate shall wear his appropriate badge of office; shall have special charge of the main door of the chamber during the sittings of the Senate, and shall see that the other doors of the

Senate are properly attended to; shall have general charge and oversight of the additional door-keepers of the Senate; shall detail such of the additional door-keepers for such general or special duties as the Sergeant-at-Arms may deem proper or necessary for the efficiency of the Senate and the protection of property within the chamber; shall see that the rule relating to admission to the floor of the chamber is strictly enforced; shall, ten minutes before the opening of each session of the Senate, see that the floor is cleared of all persons not entitled to occupy the same during the session; shall attend to seating visitors, and shall announce all committees and messages from the governor or House.

The janitors of the House shall have charge, under the direction of the Sergeant-at-Arms, of the cloak and retiring rooms adjoining the chamber, and shall see that the same are kept in proper order.

The messengers of the Senate shall attend the Senate during its sitting, and perform the duties generally devolving on like employes. While the Senate is sitting, two of their number shall be detailed for service in front of the secretary's desk. The messengers shall be under the direction of the Sergeant-at-Arms, while the Senate is not sitting, and shall attend to such duties as he may assign them.

Senator Groneweg made the following report for the Special Committee on Arrangements, to arrange the time for the meetings of committees:

To the President of the Iowa State Senate:

Your special committee, appointed and charged with the duty of preparing a schedule and assigning the time for the several committees of the Senate to hold their meetings, beg leave to submit the following report, hereto attached, and marked "Exhibit A."

The committee beg leave to further report that owing to the fact that the names of many Senators appeared as members of several committees other than those to which they were assigned as chairmen, no little difficulty was experienced in assigning the time, lest confusion and conflict would ensue by reason of the appearance of the names of many Senators who are members of several committees, the simultaneous meeting of which would necessarily conflict.

Your committee therefore have endeavored to avoid, as much as possible, any confusion or conflict in assigning the time for the meetings of the several committees, by arranging the major portion of the time for the more important Senate committees, and allotting to the less important committees such time as, in the judgment of your committee, would not necessarily conflict with the work and time allotted to the more important committees, and reserving to the chairmen of less important committees the right to choose such time for their meetings as will best suit their convenience, while at the same time not necessarily conflicting with the time allotted in the attached schedule.

Respectfully submitted,

WM. GRONEWEG, *Chairman.*

EXHIBIT "A" OF SPECIAL COMMITTEE

COMMITTEES.	MONDAYS.				TUESDAYS.				WEDNESDAYS.			
	9 A. M.	2 P.M.	3 P.M.	4 P.M.	9 A. M.	2 P.M.	3 P.M.	4 P.M.	9 A.M.	2 P.M.	3 P.M.	4 P.M.
Ways and M..						W&M						
Judiciary....	Jud.					Jud				App	Jud..	
Appr'priat'ns		Apps										
Railways.....								R. R.				
Agriculture..			Agr.									Agr.
Insurance.....			Ins.									Ins.
Labor.....				Lab..				Lab..				
Ed. Instit't'ns						E.In.						
Sup. Intemp..	Sup. I.								Su. I.			
Schools....					School							
Cities and T..		C & T								C.&T		
Public He'lth							P. H.					
Mines and M..		M&M								M&M		
Char. Inst. .				C.In.								C.In.
Highways....				O.P.O		High						
Comp.Pub.Off												
Cons. Amend.												
Retr. and Ref.												
Elections.....											Elec.	
Banks.....								B'nk				
Commerce.....												
Fed. Relat'ns.					Fed. R.							
Pen.& Pardon			P & P									
Claims.....			Cl'm.									
Corporati'ns .												
Printing.....					Print.							
Military.....											Mili..	
Cong. and Ju- dicial Dists.	C. & J. Dists.											
Senator'l and Rep. Dists..					S. & R. Dists.							

The report of the committee was adopted.

Unanimous consent was given to have 200 copies of the schedule of hours for committee meetings printed on cardboard for the use of the Senate.

Senator Gatch introduced the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Ways and Means Committees of the Senate and House respectively, in joint convention, be instructed to inquire and report, by bill or otherwise, what legislation, if any, is necessary in the way of amendment or revision of the revenue laws of the State.

Adopted.

The following resolution was introduced by Senator Mattoon who asked that it be spread upon the records.

So ordered.

G. A. R. MEMORIAL.

That at a regular meeting of John J. Stillman Post, No. 194, G. A. R., Department of Iowa, held at their hall in Waukon, Iowa, January 2nd, 1892, the following preamble and resolutions were unanimously adopted:

WHEREAS, The general government is about to refund to the State of Iowa the amount of war tax collected from Iowa during the war of the rebellion; and,

WHEREAS, The coming session of the Iowa Legislature will take measures to appropriate what may remain of said fund and tax after paying what may have been borrowed by the State from its permanent school fund; and,

WHEREAS, The Des Moines interest has attempted to secure said remaining sum to be expended at Des Moines either in a permanent monument or a memorial hall to perpetuate the memorial of Iowa citizens who participated in said war; and

WHEREAS, The G. A. R. Post of the Department of Iowa are called upon by the department commander to express their preference as to a hall or monument, to be erected at Des Moines, Iowa; now, therefore, be it, and it is hereby

Resolved, by John J. Stillman Post, No. 194, G. A. R., That we are opposed to the concentration of the above remaining fund at Des Moines, but that we are decidedly in favor of, and we do heartily commend a distribution of said fund among the several counties of the State, on condition that they erect a permanent and suitable monument at their respective county-seats, said monuments to have permanently engraved upon them the names of all citizens the county sent into the army or navy during said war of the rebellion, together with the company and regiment to which they respectively belonged. Our reasons for this preference are—

First. The tax was collected originally from all the counties of the State and equity seems to demand that it be returned to them.

Second. Probably every county was represented in the army or navy and should not be deprived of its dues.

Third. This plan will perpetuate among the people a veneration "for those who died that their country might live" and an appreciation of the services of those who were fortunate enough to survive.

Fourth. Such county monuments would be an object lesson, teaching the rising generation in the respective counties patriotism and love of country that will be invaluable in preserving the public after we have answered the final roll call.

Fifth. These considerations in our judgment far outweigh the Des Moines memorial shaft or hall and we respectively ask the Legislature to carefully consider them before making the proposed appropriation.

D. STROCK, *Chairman*,
G. M. DEAN,
A. M. MAY,

Committee.

Resolved, That the Adjutant be directed to send a copy of the above resolution to each G. A. R. Post in Iowa and to each member of the Legislature and to the Representative from this county and the Senator from this district, with the request of this Post that each of them use his influence for carrying out the object of the same.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT ; — I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked :

Resolved, by the House, the Senate concurring: That fifty thousand copies of the biennial message and the annual address of His Excellency, Governor Boies, be printed, in pamphlet form, for distribution.

Also, that the House has concurred in the Senate resolution relative to appointing a joint committee on chaplains.

Also, that the House has passed the following bills :

House file No. 6, a bill for an act to legalize the incorporation and acts of the town council of the town of Thornburg, Iowa.

House file No. 22, a bill for an act to legalize the incorporation of the town of College Springs, Iowa.

Also that the house has passed a concurrent resolution authorizing the governor to receive the direct tax money from the United States government.

CHAS. BEVERLY, *Chief Clerk*.

On motion House messages were taken up.

Senator Perry offered the following amendment to the resolution relative to printing the governor's message and address.

Provided that 5,000 copies thereof be printed in the Holland language.

Adopted.

Senator Mack moved that the resolution be so amended as to have 10,000 copies of the original 50,000 copies printed in the German language.

Adopted.

Senator Mosnat moved to amend the resolution so that 5,000 copies be printed in the Bohemian language.

Adopted.

Senator Cleveland moved to amend the resolution so that 5,000 copies be printed in the Danish language.

Adopted.

Senator Chantry moved that the resolution be further amended providing that 5,000 copies be printed in the Swedish language.

Adopted.

Senator McCall moved that 5,000 copies of the 50,000 copies in original resolution be printed in the Norwegian language.

Adopted.

On motion, the original concurrent resolution, together with the amendments, was referred to the committee on printing.

House file No. 6. Read first and second times and referred to Committee on Judiciary.

House file No. 22. Read first and second times and referred to Committee on Judiciary.

Senator Mack introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to have delivered at the desk of each reporter, files of the daily journal and the printed bills and other publications ordered by the Senate.

Resolution adopted.

The following resolution was offered by Senator Cleveland:

Resolved, That the Secretary of State is hereby authorized to furnish to each reporter present for the purpose of reporting the proceedings of the Senate, stationery for use in his work, not to exceed one dollar per week.

Adopted.

PETITIONS AND MEMORIALS.

Senator Shields presented memorial relating to the protection of the union label on cigar boxes.

Referred to Committee on Labor.

Senator Schmidt presented memorial of members of Scott county bar, asking for an additional judge in the Seventh Judicial District.

Referred to Committee on Judicial Districts.

Senator Reynolds presented concurrent resolution requesting Congress to regulate the manufacture and sale of adulterated or compound lard.

Read first and second times and referred to Committee on Federal Relations.

Senator Jamison presented resolution of Osceola Post No. 173, G. A. R., expressing their preference for monumental shaft.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate file No. 71, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly relating

to the construction of sewers in cities organized under special charters.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Schmidt, Senate file No. 72, a bill for an act amending sections 11 and 12 of chapter 14 of the laws of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Brower, Senate file No. 73, a bill for an act to regulate the title of veterinary surgeon in the State of Iowa.

Read first and second times and referred to Committee on Public Health.

By Senator Funk, Senate file No. 74, a bill for an act providing for funding indebtedness evidenced by warrants, and refunding of bonded indebtedness of incorporated towns, and for the levy of taxes for the payment thereof ; and fixing a penalty for the diversion of such tax.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Lewis, Senate file No. 75, a bill for an act to abolish the independent school district of East Cleveland, No. 10, in Lucas county, Iowa ; to annex the territory of said district to the district township of Whitebreast, and to turn over all property and moneys of said independent district to said district township.

Read first and second times and referred to Committee on Judiciary.

By Senator Mattoon (by request), Senate file No. 77, a bill for an act for an appropriation for the claim of J. T. Bushnell & Co., for preparing, publishing and distributing five thousand copies of "Iowa Resources and Industries" at the World's Fair in 1885.

Read first and second times and referred to Committee on Claims.

By Senator Chantry, Senate file No. 78, a bill for an act creating a State Board of Examiners of Civil Engineers.

Read first and second times and referred to Committee on Highways.

By Senator Harmon, Senate file No. 79, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Read first and second times and referred to Committee on Appropriations.

By Senator Cleveland, Senate file No. 76, a bill for an act to legalize the incorporation of the town of Shelby, Shelby county, Iowa, the election of its officers, all the acts done and the ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary.

By Senator Perkins, Senate file No. 80, a bill for an act to fix the time for working the highways, in the expenditure of the tax known as the "highway tax."

Read first and second times and referred to Committee on Highways.

By Senator Brower, Senate file No. 81, a bill for an act to protect persons and property from danger from steam engines in public highways.

Read first and second times and referred to Committee on Highways.

Saturday's journal was corrected and approved.

President Bestow took the Chair.

Senator Schmidt moved that the Senate do now adjourn until 10 o'clock A. M., Tuesday, January 26, 1892.

Carried, and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 26, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.
Prayer by Rev. W. A. Black, of Des Moines, Iowa.

Senator Mattoon offered the following resolution and moved its adoption:

Resolved, That the President of the Senate is hereby authorized to provide a Committee on Pharmacy, consisting of not less than five members of the Senate.

The question being upon the adoption of the resolution, the yeas and nays were called.

The yeas were :

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Greene, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Yeomans—40.

The nays were:

Senators Andrew and Mack.

Absent or not voting :

Senators Finn, Gobble, Kent, Reiniger, Reynolds, Smith of Butler, Smith of Wapello, Vale—8.

So the resolution was adopted.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of H. D. Lamb and 120 citizens and business men of Waterloo, Iowa, asking for a change in the exemption laws of the State.

Referred to Committee on Judiciary.

Senator Schmidt presented memorial from members of bar and county officers of Jackson county, asking for an additional judge in the seventh district.

Referred to Committee on Judicial Districts.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 82, a bill for an act to amend chapter 105, laws of the Twenty-second General Assembly, relative to the relief of Union soldiers, sailors and marines.

Read first and second times and referred to the Committee on Military.

By Senator Bailey, Senate file No. 83, a bill for an act to amend section 1, of chapter 17, of the laws of the Twenty-second General Assembly, relating to the funding of outstanding indebtedness of cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Bolter, Senate file No. 84, a bill for an act amending chapter 34 of the acts of the Twenty-first General Assembly, increasing the number of judges in the fourth judicial district, and creating the nineteenth judicial district and providing a judge therein.

Read first and second times and referred to the Committee on Judiciary.

By Senator Chantry, Senate file No. 85, a bill for an act for the relief of Wilber McCabe.

Read first and second times and referred to Committee on Claims.

By Senator Conaway, Senate file No. 86, a bill for an act to establish a hospital for the incurable insane in the city of Oskaloosa, Iowa, and appropriating one hundred and fifty thousand dollars therefor.

Read first and second times and referred to Committee on Appropriations.

By Senator Dodge (by request), Senate file No. 87, a bill for an act to provide for the collection by suit of taxes on personal property omitted from assessment in certain cases.

Read first and second times and referred to Committee on Judiciary.

By Senator Engle, Senate file No. 88, a bill for an act to amend section 506 of the code of 1873.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Engle, Senate file No. 89, a bill for an act to protect laborers from being compelled to sign contracts that are contrary to the laws of Iowa, and for the punishment of those who present such Contracts to the laborers in this state, said presentation being for the purpose of receiving the signature of the laborer.

Read first and second times and referred to Committee on Labor.

By Senator Engle, Senate file No. 90, a bill for an act to prohibit fire insurance companies from pooling in using joint rates.

Read first and second times and referred to Committee on Insurance.

By Senator Gatch, Senate file No. 91, a bill for an act to exempt, after the year 1892, homesteads from ordinary taxation to the value of \$1,000.

Read first and second times and referred to Committee on Ways and Means.

By Senator Parrott, Senate file No. 92, a bill for an act making appropriation for the State Normal School at Cedar Falls, Iowa, and providing for additional permanent endowment and additional contingent fund for the same.

Read first and second times and referred to Committee on Appropriations.

By Senator Shields, Senate file No. 93, a bill for an act making appropriations for a creditable exhibit of the resources of the State of Iowa, in the World's Columbian exposition of 1893, to be held in Chicago.

Read first and second times and referred to a special committee of seven.

By Senator Terry, by request, Senate file No. 94, a bill for an act prohibiting persons not members of secret or other organizations from wearing the badge or uniform of such order or organization, and prescribing penalties for violation of the provisions thereof.

Read first and second times and referred to Committee on Judiciary.

By permission, Senator Gatch introduced the following concurrent resolution, and moved its adoption:

Resolved, By the Senate, the House concurring: That the patriotic and firm, yet conservative tone of the special message of President Harrison to Congress, relating to the unfortunate controversy between this country and the Republic of Chili, meets with our unqualified approval.

Adopted.

Senator Kelly introduced the following resolution:

Resolved, That hereafter no member of the Senate shall speak more than ten minutes nor more than once upon the same question, and no Senator shall speak more than once nor longer than five minutes upon each amendment; *provided,* that the author or Senator in charge of a bill or resolution shall be allowed an additional ten minutes to close the debate.

Passed over, under the rules.

PETITIONS AND MEMORIALS.

Senator Reynolds presented memorial of John L. Brown, asking relief.

Referred to Committee on Claims.

Senator Gatch presented memorial of Friends' Church remonstrating against any change in the prohibitory law of Iowa.

Referred to Committee on Suppression of Intemperance.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT : I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked :

Relative to instructing our Senators and Representatives in Congress to vote for certain legislation regarding food products.

CHAS. BEVERLY,

Chief Clerk.

The Committee on Pharmacy appointed by the President, were: Senators Oleson, Mosnat, Smith of Butler, Conaway and Mattoon.

Senators Gatch, Cleveland and McCall were appointed on the joint committee on Chaplain.

Senators Shields, Yeomans, Parrott, Harsh, Gardiner, Brower and Greene were appointed as Committee on Columbian Exposition.

Senator Kelly offered the following concurrent resolution:

Resolved by the Senate, the House concurring: That the joint rules of the Twenty-third General Assembly be adopted by this General Assembly until others are adopted in their place.

Adopted.

Senator Gobble called up concurrent resolution introduced by him, on January 23rd, printed on page 6 of the journal of that day, relative to special joint standing committee on State institutions, and asked permission to amend by striking out the word "five" and inserting the word "three" in the second line from top of page 7 of said printed journal, also by striking out the word "ten" and inserting the word "five" in the third line from top of page 7 of said journal.

The question now being "shall the Senator be permitted to so amend the original resolution?"

Permission was granted.

Senator Finn moved to amend the original resolution by striking out the clause providing for clerks, which amendment was accepted by Senator Gobble.

Senator Engle offered the following amendment to the original resolution :

That the Executive Council appoint a Committee of four experts, or accountants, one from the Democratic, one from the Republican, one from the Peoples' party and one from the Prohibition party, none of which shall be members of the Senate or House of Representatives, or holding any state or federal office. The four members to appoint a fifth member. The Committee to report at its earliest time, to the legislature of Iowa, in conformity with this resolution.

Senator Perry offered the following as a substitute for the original concurrent resolution, and all amendments proposed to it.

Resolved, By the Senate, the House concurring: That the Governor be, and is, hereby authorized and requested to appoint a commission of four persons, well known as competent business men, not members of the General Assembly, selected equally from the Democratic and Republican parties, to make a thorough investigation into the condition and affairs of all the charitable and educational institutions and the two penitentiaries of this State. Said commission to proceed at once to make such investigation, with full power to send for persons and papers, and to administer oaths; to employ a stenographer and one or more experts, as may be necessary, skilled in accounts and competent to make such investigation; to be paid such compensation as is customary for like services; to make a thorough examination of all the records, books and papers pertaining to the subject of investigation, and to do all other things whatsoever, that may be necessary to obtain full information and a thorough knowledge of the true condition of the affairs of the institution or place to be examined, as well as the methods that have been employed in the transaction of its business, and report fully to the Governor at as early a day as practicable, and to either branch of the General Assembly, from time to time, as may be requested. The compensation of said commission shall be ————— dollars per day, for each member thereof, for the time actually employed; *provided*, that the term of said commission shall cease upon the final adjournment of the present General Assembly, unless its duties shall have been performed before that time.

Pending discussion, on motion of Senator Cleveland, the Senate adjourned until 2:30 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, at 2:30 o'clock P. M., President Bestow presiding.

Senator Gobble moved that the concurrent resolution under consideration, together with the amendments and substitutes, be referred to the Committee on Appropriations, with instructions to report at their earliest convenience.

Carried.

House messages were then taken up.

CONCURRENT RESOLUTION.

Requesting Congress to regulate the manufacture and sale of adulterated or compound lard, and require a statement of actual contents on package thereon.

Be it resolved by the House, the Senate concurring: That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated, counterfeit or compound lard, throughout the United States, unless, on the package containing the same, a true statement is given of the actual contents and of the proportion of each ingredient therein; and that they be further requested to aid in the passage of what is known as the "Conger Lard Bill," or any other good substantial and equally effective measure, which may come before Congress, having in view the purpose above indicated.

The Senate concurred in the resolution.

Senator Bailey offered the following resolution and moved its adoption.

Resolved, That unless otherwise ordered, three hundred copies be the number of bills or joint resolutions required to be printed by rule 23.

Adopted.

INTRODUCTION OF BILLS.

By Senator Kent, Senate file No. 95, a bill for an act making appropriations for the penitentiary at Fort Madison, Iowa.

PETITIONS AND MEMORIALS.

Senator Gardiner presented petition and memorial of Chas. Hanson and others relative to revision of revenue laws; protection to makers of promissory notes; favoring Australian ballot system; the passage of laws for the extermination of wolves, and favoring the election of United States Senators by direct vote of the people.

Referred to the Committee on Judiciary.

Senator Bolter moved that the Senate do now adjourn until 10 o'clock A. M., Wednesday, January 27, 1892.

The motion prevailed and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 27th, 1892. }

Senate met at 10 o'clock A. M., and was called to order by President Bestow.

Prayer by Rev. C. W. Newton, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Schmidt presented memorial from members of Muscatine county bar asking for an additional judge in the Seventh Judicial district.

Referred to committee on Judicial Districts.

Senator Perry presented joint resolution and memorial to the senators and representatives in congress requesting legislation in regard to the formation of trusts.

Referred to Committee on Federal Relations.

Senator Mack presented joint concurrent resolution:

WHEREAS, It appears that the Supreme court of Iowa is at least nine months behind with its work, and that said accumulation has accrued during the last two years, and that unless some intermediate or appellate court is established, or some other form of relief is offered, that great loss and inconvenience will result therefrom to litigants, therefore, be it

Resolved by the Senate, the House concurring: That a special committee of three members from the Senate and three members from the House be appointed by the President of the Senate and the Speaker of the House, respectively, to confer with the Judges of the Supreme Court of Iowa, and to prepare and report to the body a bill which shall embody some plan for the relief of said court, and provision for the formation of an intermediate or appellate court, which shall have jurisdiction of certain classes of cases, and prevent the accumulation of such a large number of cases before said court, and the unavoidable delay now experienced by litigants.

Adopted.

Senator Bolter moved that the roll be called for the introduction of bills, and that this shall stand as a rule of the Senate for each morning session until otherwise ordered.

Adopted.

INTRODUCTION OF BILLS.

By Senator Yeomans, Senate file No. 96, a bill for an act for the

preservation of the health of female employes.

Read first and second times and referred to Committee on Public Health.

By Senator Andrews, Senate file No. 97, a bill for an act to repeal Sections 2017 and 2018 Code of 1873 and to enact substitutes therefor relating to Landlords' liens and the enforcement thereof.

Read first and second times and referred to Committee on Judiciary.

By Senator Bishop, Senate file No. 98, a bill for an act relating to requiring County Auditors to certify upon deeds the payment of all back taxes including redemptions from tax sales if any.

Read first and second times and referred to Committee on Judiciary.

By Senator Dodge, Senate file No. 99, a bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other elections.

Read first and second times and referred to Committee on Elections.

By Senator Funk, Senate file No. 100, a bill for an act to limit the compensation of Justices of the Peace and constables and defining certain duties of such officers.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Hager, Senate file No. 101, a bill for an act to provide for attorney's fees in certain cases.

Read first and second times and referred to Committee on Judiciary.

By Senator Jamison, Senate file No. 102, a bill for an act to repeal sections 4413 and 4414 of the Code as amended by chapter 39 of the Twenty-second General Assembly, relating to peremptory challenges of jurors in criminal cases, and enacting the following in lieu thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Jamison, by request, Senate file No. 103, a bill for an act to settle differences between parties by arbitration.

Read first and second times and referred to Committee on Judiciary.

By Senator Kent, Senate file No. 104, a bill for an act to amend section 4780 of the Code, in relation to the visitors' fund and the disbursement thereof.

Read first and second times and referred to Committee on Judiciary.

By Senator Oleson, by request, Senate file No. 105, a bill for an act

to amend section 2, chapter 151, acts of the Eighteenth General Assembly, in relation to the State board of health.

Read first and second times and referred to Committee on Public Health.

By Senator Parrott, Senate file No. 106, a bill for an act making appropriation for the use and benefit of the Iowa State Dairy Association.

Read first and second times and referred to Committee on Agriculture.

By Senator Perkins, Senate file No. 107, a bill for an act to provide for the appointment of county superintendent of schools by the board of supervisors of the several counties of the State.

Read first and second times and referred to Committee on Schools.

By Senator Perry, Senate file No. 108, a bill for an act to amend section 1776 of the Code and to reduce and limit the compensation of county superintendents.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Rich, Senate file No. 109, a bill for an act to provide for the protection of owners of stallions and the breeders of pure blooded horses.

Read first and second times and referred to Committee on Agriculture.

By Senator Schmidt, Senate file No. 110, a bill for an act to render privileged, confidential communications to editors, publishers and reporters of newspapers.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, Senate file No. 111, a bill for an act to amend chapter 70, laws of the Twentieth General Assembly; also chapter 42 of the Twenty-second General Assembly, relating to damage done by dogs.

Read first and second times and referred to Committee on Agriculture.

By Senator Vale, Senate file No. 112, a bill for an act to repeal section 1487 of the Code, and enact a substitute therefor.

Read first and second times and referred to Committee on Agriculture.

By Senator Vale, Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected, three years.

Read first and second times and referred to Committee on Schools.

By Senator Yeomans, Senate file No. 114, a bill for an act to protect

associations and unions of workingmen and persons in their labors, trade marks and forms of advertising.

Read first and second time and referred to Committee on Labor.

Senator Bolter introduced the following resolution and moved its adoption:

Resolved, That the compensation of the file clerk of the Senate be four (\$4.00) dollars per day.

Adopted.

Senator Bolter introduced the following resolution and moved its adoption:

Resolved, That the Chief Secretary of the Senate, Samuel N. Parsons, be furnished a copy of McLain's Annotated Code at the expense of the State.

Senator Finn moved that the resolution be referred to the committee on Retrenchment and Reform.

Senator Engle arose to a point of order: "that the Senate has no chief clerk."

The chair decided the point not well taken.

The question now being: "Shall the resolution be referred to the Committee on Retrenchment and Reform?"

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Chantry, Engle, Finn, Funk, Jamison, Jewett, Lewis, Palmer, Parrott, Smith (of Wright), Turner, Vale—13.

The nays were:

Senators Bishop, Bolter, Cleveland, Conaway, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Greene, Groneweg, Harsh, Hurst, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Stewart, Terry, Yeomans—30.

Absent or not voting:

Senators Bailey, Brower, Hager, Harmon, Perkins, Reiniger, Reynolds—7.

So the motion to refer was lost.

Senator Finn arose to a point of order: That the Code does not provide for a clerk of the Senate as mentioned in the resolution.

The chair decided the point of order not well taken.

The question now recurring upon the adoption of the original resolution, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harsh, Hurst, Kelly, Kent, Mack, McCall, Mattoon, Mosnat,

Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Terry, Vale, Yeomans—35.

The nays were:

Senators Andrews, Chantry, Engle, Finn, Jamison, Jewett, Lewis, Palmer, Parrott, Smith, of Butler, Smith of Wright, Turney—12.

Absent or not voting:

Senators Harmon, Reiniger and Reynolds.

So the resolution was adopted.

Senator Chantry explained his vote as follows:

I wish to explain my vote as follows: From the statement of the Lieutenant Governor, that there is now an extra code in his office, presumed by him to be designed for the Secretary. I vote "no."

A. J. CHANTRY.

Senator Engle explained his vote as follows:

I am opposed to voting codes to the officers of the Senate. We might as well vote ourselves watches or overcoats. The principle is wrong; I hereby protest against such waste of the peoples' money.

PERRY ENGLE,
Senator 29th District.

Senator Jamison explained his vote:

MR. PRESIDENT: I desire to explain my vote by saying that I find the Journal shows that the code furnished the Secretary was ordered turned over to the chief clerk of the Senate, and I find that the Senator from Harrison, who introduced this resolution, also introduced the resolution asking the then acting secretary, to turn over all books and records to the chief clerk of the Senate; and finding that said resolution carried, and believing that the code furnished the former secretary is now in the Senate, or in the hands of the now acting secretary; I vote "no."

Senator Schmidt offered the following resolution, and moved its adoption:

Resolved, That five hundred additional copies of Senate file No. 1 be ordered printed.

Carried.

Senator Mack introduced the following concurrent resolution:

Resolved by the Senate, the House concurring: That five thousand copies of the rules of the Senate, rules of the House, and joint rules, together with lists of standing committees of the Twenty-fourth General Assembly be printed and distributed in the same manner as those of the Twenty-third General Assembly.

The resolution was adopted.

Senator Engle asked unanimous consent to have Senate file No. 15, taken from Committee on Mines and Mining and referred to Committee on Labor. Consent was granted, and so the bill was referred to Committee on Labor.

Senator Gardiner presented a petition for a joint resolution and

memorial calling upon United States Congress to enact the bill imposing a revenue upon compound lard, and to enact what is known as the "Option Bill."

Referred to Committee on Federal Relations.

Senator Cleveland from the Joint Committee on Inauguration submitted the following report :

MR. PRESIDENT: Your Committee on Inauguration to whom was referred the inauguration ceremonies of January 20th, 1892, beg leave to report that they have completed their labors and have instructed us to make report to the Senate and House of Representatives by a bill for an act appropriating the sum of \$627.40 to meet the expenses of said inauguration ceremonies.

W. F. CLEVELAND,

Chairman Senate Committee on Inauguration.

C. G. HIPWELL,

Chairman House Committee on Inauguration.

Ordered passed on file.

Senator Lewis offered the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House Concurring, That the Secretary of State is hereby directed to procure 10,000 copies of the Railroad Commissioners' official map of Iowa, at the earliest practicable date, and to furnish for distribution forty copies to each member of the General Assembly.

The resolution was adopted.

Senator Cleveland, for inauguration committees introduced the following bill.

Senate file, No. 115, a bill for an act appropriating money to defray expenses of inauguration ceremonies.

Read first and second times, and on motion of Senator Cleveland was taken up and considered.

Senator Gatch moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the rule was suspended and the bill read a third time.

On the question: "Shall the bill pass?" the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—44.

Absent or not voting:

Senators Engle, Finn, Mosnat, Reiniger, Reynolds, Yeomans—6.

So the bill passed and the title was agreed to.

The following resolution was introduced by Senator Mack:

Resolved, That the compensation of the clerk of the Lieutenant-Governor be fixed at \$4.00 per day instead of three dollars as now fixed.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Smith (of Wright), Stewart, Terry, Yeoman, Turner, Vale—40.

The nays were—

Senator Engle—1.

. Absent or not voting—

Senators Bolter, Brower, Chantry, Conaway, Groneweg, Kent, Mosnat, Reiniger, Reynolds—9

So the resolution was adopted.

By unanimous consent Senator Mack was granted leave to make the following explanation why he introduced the resolution above:

I make this motion because I find since the adoption of a resolution providing for this clerk and his compensation, that a legislative body now in session at the opposite end of this building, but which I am not permitted to name here, has provided a similar officer and fixed his compensation at four dollars per day, and desiring to maintain the dignity of this body and its equality with the other legislative body of this State, I offer this resolution.

EDGAR E. MACK,
Senator 50th District.

Senator Gobble introduced the following resolution:

Resolved, That a Committee of three be appointed by the President to assign rooms for the standing Committees.

Carried.

Senators Gobble, Perry and Gatch were appointed as such Committee.

By request of Senator Chantry, Senator Reynolds was granted a further leave of absence until Thursday, January 28th, 1892.

Senator Yeomans introduced the following resolution and moved its adoption:

Resolved, That the Secretary of State be directed to furnish to each Senator a copy of the session laws of the Twenty-third General Assembly bound in sheep.

Adopted.

Senator Cleveland moved that the Senate do now adjourn until ten o'clock, A. M., Thursday, January 28, 1892.

The motion prevailed and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, Jan. 28, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., and was called to order by President Bestow.

Prayer by Rev. R. D. Turner, of Des Moines.

Senators Mack, Mosnat and Gatch were appointed by the President as a special committee to act with a like committee of the House, relating to concurrent resolution regarding means of relieving the Supreme Court calender of present pressure.

PETITIONS AND MEMORIALS.

Senator Mosnat presented petition of C. P. Hosmer and others, asking a change in exemptions as to the earnings of a debtor.

Referred to Committee on Judiciary.

Senator Groneweg presented petition of citizens of Council Bluffs, Iowa, for change in the exemption laws.

Referred to Committee on Judiciary.

Senator Bailey presented petition of business men of Cresco, Iowa, asking a change in exemption laws.

Referred to Committee on Judiciary.

Senator Dodge presented petition of John J. Ohert and other citizens of Des Moines county asking change in exemption laws.

Referred to Committee on Judiciary.

Senator Green presented petition of H. S. Dutton and 106 other citizens of Jones county asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Bishop presented petition of citizens of Sioux county asking change in exemption laws.

Referred to Committee on Judiciary.

Senator Chantry presented a petition of A. C. Blour and 110 other citizens of Montgomery county, asking senators to support a bill for an act amending section 3074, chapter 2, title 18, Code of Iowa.

Read by its title, filed and withdrawn by consent of the Senate.

Senator Lewis presented petition of W. M. Littell and seventy-two other citizens of Wayne county, Iowa, asking that the direct tax refund be distributed among the counties for the erection of soldiers' monuments at the county seats.

Filed, read and withdrawn by consent of the Senate, January 28, 1892.

Senator Lewis presented petition of R. R. Fogg and twenty-seven other citizens and business men of Lucas county, asking for a change in the exemption laws.

Filed, read by its title, and withdrawn by consent of the Senate.

Senator Perkins presented petition of S. F. Rhode and others, asking for a change in garnishee laws.

Referred to Committee on Judiciary.

Senator Cleveland presented petition of citizens of Cass county, Iowa, asking change in the exemption laws.

Referred to Committee on Judiciary.

Senator Turner presented petition of citizens of Marshalltown, Iowa, asking change in exemption laws.

Referred to Committee on Judiciary.

Senator Mack presented petition of citizens of Buena Vista county for change in exemption laws of the State.

Referred to Committee on Judiciary.

Senator Funk presented petition of citizens of Dickinson county, asking change in exemption laws.

Referred to Committee on Judiciary.

Senator Stewart presented petition of citizens of Poweshiek county for change in garnishee laws and exemption laws.

Referred to Committee on Judiciary.

Senator Kelly presented petition of citizens of Johnson county asking for a change in the exemption laws of the State.

Referred to Committee on Judiciary.

Senator Terry presented petitions of citizens of Linn county for change in exemption laws.

Referred to Committee on Judiciary.

Senator Oleson presented petition of citizens of Calhoun county for change in exemption laws.

Referred to Committee on Judiciary.

Senator Mack presented petition from citizens of Humboldt county, changing exemption laws.

Referred to Committee on Judiciary.

Senator Schmidt presented petition of E. S. Carl and others relating to exemption laws.

Referred to Committee on Judiciary.

Senator Schmidt presented petition of J. H. Rambo and others of Scott county, relative to the jurisdiction of Justices of the Peace.

Referred to Committee on Judiciary.

Senator Perry presented petition of merchants and business men of Knoxville favoring a change in the exemption laws.

Senator Gardiner presented petition of citizens of Clinton county, for change in exemption laws.

Referred to Committee on Judiciary.

Senator Hurst presented petition of citizens of Jackson county, for change in exemption laws.

Referred to Committee on Judiciary.

Senator Parrott presented petition of E. Croal and others, citizens of Waterloo, Iowa, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Harmon presented petition of G. J. Fifield and others asking for a change in exemption laws.

Referred to Committee on Judiciary.

Senator Rich presented petition of citizens of Carroll county, Iowa, for change in exemption laws.

Referred to Committee on Judiciary.

Senator Kent presented petition of Joseph Helling and other citizens of Fort Madison, Iowa, in relation to exemption laws.

Referred to Committee on Judiciary.

Senator Brower presented petition of two citizens of Cerro Gordo county, asking support for a bill for an act to amend the garnishee law.

Referred to Committee on Judiciary.

Senator Mattoon presented petition of G. A. Doerfler and twenty-three other business men of Brush Creek, Iowa, asking a change in the exemption law.

Referred to Committee on Judiciary.

Senator Chantry presented petition of citizens and business men of Mills county, Iowa, asking change in the exemption laws of the State.

Referred to Committee on Judiciary.

Senator Kent presented petition of E. T. Bartruff and others, citizens of Keokuk, relative to exemption laws.

Referred to Committee on Judiciary.

Senator Engle presented petition of citizens of Kellogg, Iowa, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Conaway presented petition of citizens of Mahaska county, for change in exemption laws.

Referred to Committee on Judiciary.

Senator Smith of Wright, presented petition of ninety citizens of Iowa Falls, Hardin county, and fifteen citizens of Ackley, Iowa, asking in justice to debtor and creditor, that the garnishee and exemption laws be changed.

Referred to Committee on Judiciary.

Senator Yeomans presented petition of Womens' Christian Temperance Union of Sioux City, Iowa, in regard to warden of penitentiary at Anamosa, Iowa.

Referred to Committee on Charitable Institutions.

Senator Andrews presented petition of business men of Audubon and Dallas counties to change exemption laws.

Referred to Committee on Judiciary.

Senator Conaway presented petition of citizens of Oskaloosa, Iowa, for change in exemption laws.

Referred to Committee on Judiciary.

Senator Mosnat presented petition of C. P. Hosmer and others asking for change in exemption laws.

Referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bills, in which the concurrence of the Senate is asked:

House file No. 64, a bill for an act to legalize the incorporation and the official acts of the town council and other officers of the incorporated town of Alta, Buena Vista county, Iowa.

Also House file No. 17, a bill for an act to legalize the incorporation, ordinances and acts of the town council and town officers of Sac City, in the county of Sac and State of Iowa.

CHAS. BEVERLY, *Chief Clerk.*

Senator Everall, from the Committee on Printing, submitted the following report:

MR. PRESIDENT: Your Committee on Printing, to whom was referred House concurrent resolution relative to printing the Governor's Biennial Message and Annual Address, together with proposed amendments thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted in lieu thereof:

Resolved, By the House, the Senate concurring. That thirty thousand (30,000) copies of the biennial message and the annual address of His Excellency, Governor Horace Boies, be printed in pamphlet form for distribution, of which 9,000 shall be printed in the English language; 6,000 in the German language; 3,000 in the Holland language; 3,000 in the Swedish language; 6,000 in the Danish and Norwegian language and 3,000 in the Bohemian language.

JOHN EVERALL, *Chairman.*

Ordered passed on file.

The question now being upon the adoption of the substitute for the original resolution.

The substitute was adopted.

Senator Finn raised the following point of order: (1) That it involves an expenditure of money, which can only be done by a bill or a joint resolution; (2) that it proposes an action which involves an expenditure of money, without making any provisions for meeting the necessary expenses of carrying the same into effect; (3) that it seeks to amend or repeal an existing law or statute, limiting the publication and defining the language.

The point of order was sustained by the chair.

Senator Mack, by unanimous consent, offered the following amendment to the substitute proposed by the Committee on Printing.

Provided, that the number named in the substitute, to-wit, thirty thousand, shall not be in addition to the number now provided to be printed by law, but shall be inclusive thereof, and none of said additional copies, shall be printed until special appropriation has been made for the payment of the expense thereof by this General Assembly.

The amendment was adopted.

Senator Parrott moved that the original resolution be tabled.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Chantry, Engle, Finn, Funk, Hager, Harmon, Jamison, Jewett, Lewis, Mack, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—19.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Everall, Gardiner, Gatch, Gobble, Greene, Groneweg, Hurst, Kelly, Kent, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry—24.

Absent or not voting.

Senators Conaway, Dodge, McCall, Mattoon, Reiniger, Yeomans and Harsh—7.

Senator Lewis explained his vote as follows:

The statutes provide for the printing of 12,000 copies of the message, and 6,000 of the inaugural, which have been printed and delivered to the Secretary of State, therefore I vote "aye."

L. W. LEWIS.

Senator Bailey offered the following amendment, and moved its adoption:

Provided, further, That the number of extra copies to be distributed to senators and representatives be delivered to the same properly wrapped in stamped wrappers, ready for addressing and mailing.

The chair ruled the amendment out of order.

The question now being upon the adoption of the original resolution.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Everall, Gardiner, Goble, Greene, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wapello), Stewart, Terry.—23.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Jamison, Jewett, Lewis, Mack, Palmer, Parrott, Perkins, Reynolds, Smith (of Wright), Turner, Vale.—22.

Absent or not voting—

Senators Dodge, Harsh, McCall, Reiniger, Yeomans.—5.

Resolution was adopted.

Because I consider the provision made by the Code, viz., 18,000, to be ample, when we consider the general publication already made, I vote no.

GEO. W. PERKINS,
Senator Seventh District.

Believing that the supply of these documents provided by law is ample, and further believing that the principle of printing public documents in English only is a correct one, I vote no.

A. K. BAILEY.

I desire to vote against this resolution, and wish to place an explanation of my vote upon the records, simply because I offered an amendment, which was accepted and adopted. I am opposed to the resolution both because I believe there is no necessity for an additional number of these documents being printed, and also because I do not believe in the practice of printing public documents in foreign languages, believing that every citizen of Iowa should be able to read the English language, I vote no.

EDGAR E. MACK,
Senator Fiftieth Senatorial District.

INTRODUCTION OF BILLS.

By Senator Hager, Senate file No. 116, a bill for an act to amend section 2619 of the Code, with reference to publication of original notice.

Read first and second times and referred to Committee on Judiciary.

By Senator Chantry, Senate file No. 117, a bill for an act to create the office of county engineer.

Read first and second times and referred to Committee on Highways.

By Senator Cleveland, Senate file No. 118, a bill for an act to repeal section 301 of the Code and to enact a substitute relating to publishing proceedings of board of supervisors.

Read first and second times and referred to Committee on

By Senator Engle, Senate file No. 119, a bill for an act to prohibit the location of cemeteries within the limits of the incorporated cities and towns.

Read first and second times and referred to the Committee on Public Health.

By Senator Engle, Senate file No. 120, a bill for an act to remove the statutory hinderance and enabling women to vote at all elections.

Read first and second times and referred to the Committee on Constitutional Amendments.

By Senator Greene, Senate file No. 121, a bill for an act providing for a geological survey of the State of Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Greene, Senate file No. 122, a bill for an act regulating the employment of persons living in the capacity of peace officers, detectives or spies.

Read first and second times and referred to the Committee on Judiciary.

By Senator Jamison, Senate file No. 123, a bill for an act legalizing the action of the district township of Ward, in Ward township, Clarke county, Iowa, in a certain case.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kelly, by request, Senate file No. 124, a bill for an act to amend chapter 171, acts of the Nineteenth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kent, Senate file No. 125, a bill for an act to authorize the townships of any county in the State to build public halls for elections and other purposes.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Lewis, Senate file No. 126, a bill for an act to require boards of county supervisors to ascertain the amount of school fund belonging to the county remaining unloaned on the first day of each regular session and to have a statement thereof published with the proceedings of said board.

Read first and second times and referred to the Committee on Ways and Means.

By Senator Palmer, Senate file No. 127, a bill for an act to amend section 589 of the Code of Iowa, in reference to the election of county recorders.

Read first and second times and referred to the Committee on Judiciary.

By Senator Reynolds, Senate file No. 128, a bill for an act to make an appropriation for an analysis of suspected waters, food and other substances, and to otherwise increase the efficiency of the State Board of Health in restricting dangerous diseases.

Read first and second times and referred to Committee on Public Health.

By Senator Reynolds, Senate file No. 129, a bill for act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health.

Read first and second times and referred to Committee on Public Health.

By Senator Schmidt, Senate file No. 130, a bill for an act to make an appropriation for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Stewart, Senate file No. 131, a bill for an act to repeal section 37, chapter 211, of the acts of the Fifteenth General Assembly, relating to insurance, and to enact a substitute therefor.

Read first and second times and referred to Committee on Insurance.

Senator Gatch introduced the following resolution, and moved that it be referred to the Committee on Judiciary, and it was so referred:

Resolved, That the Secretary of the Senate be and is hereby directed to keep a daily record of the proceedings of the Senate, in a suitable record book or journal, which he is hereby authorized to procure at the expense of the State for that purpose.

Senator Gobble, from the committee to assign rooms for the standing committees, submitted the following report:

MR. PRESIDENT—Your committee to assign rooms for standing committees beg leave to submit their report herewith:

The report shows a condensed time table for each room, which the committee do not ask published, unless such is the desire of the Senate.

The time table of room 19 shows a conflict of dates in the meetings of two committees, but as the committees are small, the assignment was made at the request of the chairmen.

Respectfully submitted,

J. M. GOBBLE, *Chairman*.

ASSIGNMENT OF ROOMS FOR COMMITTEES AND TIME OF MEETINGS.

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Room 16—						
Insurance	3 p. m.	4 p. m.	4 p. m.	4 p. m.	4 p. m.	
Banks				4 p. m.		
Fish and Game						
Room 17—						
Mines and Mining	2 p. m.		2 p. m.		2 p. m.	2 p. m.
Retrenchment and Reform						
Public Lands						
Room 18—						
Suppression of Intemperance	9 a. m.		9 a. m.		9 a. m.	
Highways		2 p. m.		2 p. m.		
Horticulture and Forestry						
Room 19—						
Schools		9 a. m.		9 a. m.		9 a. m.
Penitentiaries and Pardons	3 p. m.			4 p. m.	4 p. m.	3 p. m.
Constitutional Amendments						
Claims	3 p. m.				4 p. m.	
Room 20—						
Congressional and Jud. Dist.	9 a. m.					9 a. m.
Senatorial and Rep. Districts		9 a. m.			9 a. m.	
Manufactures						
Public Buildings						
Room 21—						
Educational Institutions		2 p. m.		2 p. m.		
Commerce				3 p. m.		
Railways		4 p. m.		4 p. m.		4 p. m.
Room 22—						
Judiciary		3 p. m.	3 p. m.	3 p. m.	3 p. m.	
Charitable Institutions	4 p. m.		4 p. m.			4 p. m.
Rules						
Room 23—						
Agriculture	3 p. m.		4 p. m.		4 p. m.	
Labor	4 p. m.	4 p. m.		4 p. m.		
Federal Relations		9 a. m.		9 a. m.		
Military			3 p. m.		3 p. m.	
Room 24—						
Enrolled Bills						
Engrossed Bills						
Elections			3 p. m.			4 p. m.
Room 25—						
Public Health		3 p. m.		3 p. m.		
Corporations						9 a. m.
Pharmacy						
Room 26—						
Ways and Means		2 p. m.		2 p. m.		2 p. m.
Appropriations	2 p. m.		2 p. m.		2 p. m.	
Library						
Room 29—						
Cities and Towns	2 p. m.		2 p. m.		2 p. m.	
Printing		9 a. m.				
Compensation Public Officers	4 p. m.				3 p. m.	

The report of the committee was adopted.

Senator Perkins moved that the Senate do now adjourn until 10 o'clock A. M., Friday, January 29, 1892.

The motion carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, January 29, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. George B. Lynch, of Mississippi.

PETITIONS AND MEMORIALS.

Senator McCall presented petition of the business men and citizens of Boone, relative to amendment of exemption laws of Iowa.

Referred to Committee on Judiciary.

Senator Shields presented petition of citizens of Dubuque county, asking for a change in the exemption laws of the State.

Referred to Committee on Judiciary.

Senator Oleson presented petition of E. E. Prusia and other citizens of Webster county, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Kelly presented petition of John W. Supple and 49 other business men of Iowa City, asking a change in the exemption laws of the State

Referred to Committee on Judiciary.

Senator Andrews presented petition of C. H. Ainley and 56 other petitioners of Dallas county, relative to amendment of exemption laws of Iowa to debtors.

Referred to Committee on Judiciary.

Senator Perkins presented petition of Pace Wilcox & Co., and 70 other business firms of Page and Fremont counties, asking for modification of the exemption laws.

Referred to Committee on Judiciary.

Senator Yeomans presented petition of W. C. T. U., asking for a reformatory prison for women.

Referred to Committee on Charitable Institutions.

Senator Bailey presented petition of citizens of Winneshiek county, asking an amendment to the exemption laws of the State.

Referred to Committee on Judiciary.

Senator Groneweg presented petition of F. P. Morgan and other business men and citizens of Pottawattamie county, asking him to

support a bill for an act amending section 3074, chapter 2, title 18 of the Code.

Referred to Committee on Judiciary.

Senator Schmidt presented petition memorial remonstrance of E. S. Ballard and 155 other business men and merchants of Scott county, asking for change in exemption laws.

Referred to Committee on Judiciary.

Senator Yeomans presented petition of citizens of Sioux City asking for change in exemption laws.

INTRODUCTION OF BILLS.

By Senator Bolter, Senate file No. 132, a bill for an act providing for the collection and tabulation of statistics of crops and live stock.

Read first and second times and referred to Committee on Agriculture.

By Senator Brower, Senate file No. 133, a bill for an act to amend the military code and to increase the efficiency of the National Guard.

Read first and second times and referred to Committee on Military.

By Senator Engle, Senate file No. 134, a bill for an act to regulate the number of hours constituting a day's work in mines, factories, and workshops.

Read first and second times and referred to Committee on Labor.

By Senator Green, Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Hager (by request), Senate file No. 136, a bill for an act to amend chapter 105 of the acts of the Twenty-second General Assembly, relating to the relief of Union soldiers, sailors and mariners, and the indigent wives, widows and minor children of indigent or deceased Union soldiers, sailors and mariners.

Read first and second times and referred to Committee on Military.

By Senator Hurst (by request), Senate file No. 137, a bill for an act amending section 3074, chapter 2, title 18, of the Code of 1873, relative to exemptions.

Read first and second times and referred to Committee on Judiciary.

By Senator Mack, Senate file No. 138, a bill for an act making appropriation for Benedict Home, Des Moines, Iowa.

Read first and second times and referred to the Committee on Appropriations.

The following pairs were announced:

Senators Stewart and Turner, until Tuesday night; McCall and Everall, until Tuesday noon; Gardiner and Palmer, until Tuesday noon; Jamison and Hurst on political questions only until Tuesday morning.

Senator Harsh was granted leave of absence on account of sickness.

By request of Senators Mosnat and Mack the petitions presented by them, relating to exemption laws, were withdrawn so as to present the same to the House.

By request of Senator Reynolds, Senate file No. 50 was changed from Committee on Mines and Mining to the Committee on Labor.

Senator Dodge introduced the following resolution and moved its adoption:

Resolved by the Senate the House concurring: That the Secretary of State be authorized to purchase suitable and appropriate badges for the use of the Sergeant-at-Arms of the Senate and House, 18 badges for the doorkeepers and 19 badges for the pages of both houses of this General Assembly.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Bolter from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House file No. 6, a bill for an act to legalize the incorporation and acts of the incorporated town of Thornburg, in Keokuk county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 22, a bill for an act to legalize the incorporation of the incorporated town of College Springs, in Page county, Iowa, and the corporate acts and ordinances of said town and its officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate file No. 35, a bill for an act to provide for compensation of mayors of cities and towns when performing the duties of justice of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendment: In second line original bill, after the word "city" add "or incorporated town." And as amended recommend that the bill do pass.

L. B. BOLTER, *Chairman.*

Ordered passed on file.

On motion of Senator Stewart, House file No. 6, a bill for an act to legalize the incorporation and acts of the incorporated town of Thornburg, in Keokuk county with report of committee recommending that it do pass was taken up, considered, and the report of the committee was adopted.

Senator Stewart moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—41.

Absent or not voting:

Senators Chantry, Funk, Harsh, Palmer, Parrott, Reiniger, Shields, Turner, Vale—9.

So the bill passed and the title was agreed to.

On motion of Senator Perkins, House file No. 22, a bill for an act to legalize the incorporation of the incorporated town of College Springs, in Page county, Iowa, and the corporate acts and ordinances of said town and its officers, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perkins moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—41

Absent or not voting:

Senators Dodge, Funk, Harsh, Palmer, Parrott, Reiniger, Shields, Turner, Vale—9.

So the bill passed and the title was agreed to.

On motion of Senator Perry, Senate file No. 35, a bill for an act to provide for compensation of mayors of cities and towns, when per-

forming the duties of justice of the peace, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted, amending the bill as follows: Adding "or incorporated town," after the word "city," in second line of bill.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale, Yeomens—40.

Absent or not voting:

Senators Conaway, Finn, Funk, Gardiner, Harsh, Mattoon, Palmer, Parrott, Reiniger, Turner—10.

So the bill passed and the title was agreed to.

Senator Gatch from the committee appointed to arrange for opening the daily session of the Senate and House with prayer, submitted the following report, which was adopted:

MR. PRESIDENT:—The joint committee of the Senate and House of Representatives, appointed to arrange for opening the daily sessions of the two houses with prayer, beg leave to report that the members of the Ministerial Association of the city of Des Moines, the large majority of whom are resident clergymen of the city, have, through their president, Rev. Doctor A. L. Frisbie, signified to the committee their willingness to assume the performance of that service gratuitously, but with the hope that the General Assembly, in lieu of the compensation that has customarily been allowed for like service, will appropriate an equivalent amount to be expended by the State Library Committee in the purchase of standard religious literature, to be placed in an alcove of the State Library, to be set apart for that purpose; and further signified that all resident clergymen would be invited to participate under their direction in rendering such service.

The committee respectively recommend that said Association be invited to assume the performance of chaplain service for both houses during the session, with the understanding that the appropriation for the purpose suggested will be made.

Respectively submitted,

C. H. GATCH, *Chairman Senate Committee.*

B. B. LANE, *Chairman House Committee.*

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT : I am directed to inform your honorable body that the House has passed the following resolution in which the concurrence of the Senate is asked :

House joint resolution No. 1, relative to congressional action in regard to Russian sufferers; also that the House has concurred in the following Senate resolutions:

1. Relative to relief for the supreme court.
2. Relative to a joint meeting of the Ways and Means Committees of the two houses.
3. Relative to President Harrison's special message on the Chilian affairs.

CHAS. BEVERLY, *Chief Clerk*.

Senators Dent and Mack announced a pair for an indefinite period; Yeomans and Harsh until Tuesday; Kent and Lewis until Wednesday noon; Smith, of Wapello, and Conaway, on political questions only, until Wednesday noon.

Senator Perry introduced the following resolution, by consent, and moved its adoption:

Resolved: That the file clerk be requested to furnish each regular session reporter with a file of Senate bills in covers.

Adopted.

INTRODUCTION OF BILLS.

By Senator Lewis, Senate file No. 139, a bill for an act to prevent the presence of Canada, and prickly or bull thistles: providing punishment for violations, and to repeal sections 995 and 4062 of the Code of 1873.

Read first and second times and referred to Committee on Agriculture.

By Senator Mack, Senate file No. 140, a bill for an act to establish and maintain the Northwestern Normal School, for the instruction and training of teachers, and to provide for the selection of sites for other Normal Schools.

Read first and second times and referred to Committee on Educational Institutions.

Senator Bolter nominated Senator Kelly, of Iowa county, for President *pro tem* of the Senate.

The motion prevailed, and Senator Kelly was declared elected.

Senator Cleveland moved that a committee of two be appointed to escort the newly elected President *pro tem* to the chair.

Senators Cleveland and Lewis were appointed as such committee.

The *pro tem* President was escorted to the chair amid applause, and introduced to the Senate.

President *pro tem* Kelly returned his thanks to the Senate for the honor conferred upon him, saying:

SENATORS: I wish to express to you my sincere thanks for the high honor you have just conferred upon me. I certainly regard it an honor which any Senator should feel proud of. While presiding over the deliberations of this body in the absence of our worthy Lieutenant-Governor, I shall endeavor to keep in mind, that each member of this Senate is the par of every other Senator and is entitled to all the courtesies possible for the chair to extend. Again thanking you, I await your pleasure.

Leave of absence was granted Senators Bailey, Gardiner, Dent, Terry and Hurst until Tuesday.

Senator Bolter moved that the Senate do now adjourn until 10 o'clock A. M., Saturday, January 30, 1892.

Senator Mosnat moved to amend the motion to adjourn by making the time "Tuesday, at 2 o'clock P. M."

The question being on the adoption of the amendment.

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Chantry, Conaway, Dent, Finn, Gardiner, Hager, Harmon, Jamison, McCall, Mosnat, Smith of Wapello, Smith of Wright, Yeomans—15.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Dodge, Engle, Everall, Gatch, Gobble, Greene, Groneweg, Hurst, Jewett, Kelly, Mack, Mattoon, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Stewart, Vale—26.

Absent or not voting:

Senators Funk, Harsh, Kent, Lewis, Palmer, Parrott, Reiniger, Terry, Turner—9.

Senator Finn moved to amend the motion to adjourn that the Senate adjourn until 2 P. M. to-day.

Motion withdrawn.

The question being on the original motion to adjourn, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, January 30, 1892. }

The Senate met pursuant to adjournment, at 10 o'clock A. M., President Bestow presiding.

Prayer by the Rev. B. F. W. Cozier, Colfax, Iowa.

PETITIONS AND MEMORIALS.

Senator Harmon presented petition of W. G. Kenion and other citizens of Delaware county for change in exemption laws.

Referred to Committee on Judiciary.

Senator Perry presented petition of citizens of Albia, Monroe county, asking for a change in exemption laws.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Bishop, Senate file No. 141, a bill for an act to establish a normal school at Sheldon, O'Brien county, Iowa, and appropriating \$100,000 therefor.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Chantry, Senate file No. 142, a bill for an act making appropriations for the Institution of Feeble Minded children.

Read first and second times and referred to the Committee on Appropriations.

By Senator Perry, Senate file No. 143, a bill for an act making appropriations for the Industrial Home at Knoxville.

Read first and second times and referred to Committee on Appropriations.

By Senator Mattoon, by request, Senate file No. 144, a bill for an act to amend section 12, chapter 151, act of the Eighteenth General Assembly, relative to public health.

Read first and second times and referred to Committee on Public Health.

By Senator Funk, Senate file 145, a bill for an act to amend section 3275, chapter 2, title 20 of the Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Engle, Senate file No. 146, a bill for an act establishing Arbor Day, as a holiday, and to set apart the Friday, after the first Tuesday of April of each year, as Arbor Day, to be observed by the schools of Iowa.

Read first and second times and referred to Committee on Horticulture and Forestry.

Senator Mack offered the following resolution and moved its adoption.

Be it resolved by the House, That the Secretary of State be and he is hereby authorized to furnish each Senator of the Twenty-fourth General Assembly for his own use with a copy of each session laws, commencing with the Ninth and ending with the Twenty-third General Assembly, on request of each Senator, and also to furnish each committee room with a set of such session laws for the use of the Senate committees meeting therein.

Senator Bolter took the chair.

Yesterday's Journal corrected and approved.

President Bestow being absent Senator Cleveland moved the reconsideration of the vote of yesterday, in which Senator Kelly was elected Temporary President of the Senate.

Carried.

Senator Cleveland nominated Senator Kelly for President, *pro tem*. There being no other nomination the roll was called.

Those voting for Kelly were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Everall, Funk, Gatch, Gobble, Greene, Groneweg, Hager, Lewis, Mack, Mattoon, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Vale—26.

Absent or not voting:

Senators Bailey, Conaway, Dent, Dodge, Engle, Finn, Gardiner, Harman, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, McCall, Mosnat, Oleson, Palmer, Parrott, Reiniger, Smith of Wapello, Terry, Turner, Yeomans—24.

Senator Kelly was declared duly elected President *pro tem*.

Senator Groneweg offered the following resolution and moved its adoption:

Resolved: That the Committee on Printing be instructed to ascertain the cause of the delay of furnishing the Senate with printed copies of bills introduced, and report what action, if any, is necessary to remedy this delay.

Adopted.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate resolution directing the Secretary of the Senate to keep a daily record of the proceedings of the Senate, and to procure suitable record book or journal for that purpose, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the resolution be adopted.

L. R. BOLTER, *Chairman*.

The question being on the adoption of the report of the Committee on Judiciary, Senator Finn raised a point of order: That the Senate cannot by resolution authorize any person to purchase property for the State.

Not sustained.

The resolution was adopted.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House file No. 17, a bill for an act to legalize the incorporation, ordinances, and the acts of the town council and town officers of Sac City, in the county of Sac, and the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Senator Perry moved that the report of Committee be concurred in.

Senator Mack moved that House file No. 17, be now taken up.

Carried.

Senator Mack moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas and nays were called.

The yeas were :

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Engle, Everall, Finn, Funk, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Jewett, Kelly, Lewis, Mack, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith (of Butler), Smith (of Wright), Stewart, Vale.—29.

Absent or not voting—

Senators Bailey, Brower, Conaway, Dent, Dodge, Gardiner, Harsh, Hurst, Jamison, Kent, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Reiniger, Smith (of Wapello), Terry, Turner, Yeomans.—21.

So the bill passed and the title was agreed to.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 64, a bill for an act to legalize the incorporation and the official acts of the town council and other officers of the incorporated town of Alta, Buena Vista county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Senator Perry moved that the recommendations of the Committee be concurred in.

Carried.

Senator Bolter from the Committee on Judiciary submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate file No. 53, a bill for an act to amend section 2527, chapter 8, Code of Iowa, granting to physicians and surgeons certificates of pharmacy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Pharmacy.

L. R. BOLTER, *Chairman*.

Senator Mack moved that the recommendation of the committee be concurred in.

Carried.

Senator Mack moved that House file No. 64 be now taken up.

Carried.

Senator Mack moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Engle, Everall, Finn, Funk, Gatch, Gobble, Greene, Groneweg, Hager, Harmon, Jewett, Kelly, Lewis, Mack, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Vale—29.

Absent or not voting:

Senators Bailey, Conaway, Dent, Dodge, Gardiner, Harsh, Hurst, Jamison, Kent, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Reiniger, Shields, Smith of Wapello, Terry, Turner, Yeomans—21.

So the bill passed and the title was agreed to.

The following pairs were announced:

Senators Finn and Kelly on political questions until Tuesday, Senators Chantry and Green, same until Tuesday, 2 P. M.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked: Relative to Congressional legislation in regard to dealing in fictitious quantities of grain.

Also, that the House has concurred in the following Senate concurrent resolutions:

First. Relative to printing the joint rules of the two houses.

Second. Relative to the joint rules now governing the two houses.

CHAS. BEVERLY,

Chief Clerk.

Passed on file.

Senator Perkins moved to adjourn until Monday at 10 o'clock.

Senator Kelly moved to amend that the Senate adjourn until Tuesday morning at 10 o'clock.

Lost.

Senator Kelly moved to amend that the Senate adjourn until 2 o'clock this afternoon.

Lost.

The question now being on the original motion to adjourn.

The motion carried and the Senate adjourned until Monday morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 1st, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.
Prayer by Rev. W. A. Black, of Des Moines, Iowa.

Senator Gobble moved that the Senate adjourn until 10 o'clock
to-morrow morning.

Carried.

And the Senate adjourned until Tuesday morning, February 2nd
10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, Feb. 2, 1892. }

The Senate met pursuant to adjournment at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. J. Boyd, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Perkins presented petition of citizens of Fremont county for a geological survey of the State.

Referred to Committee on Ways and Means.

Senator Perkins presented petition of citizens of Tabor, Iowa, asking for geological survey.

Referred to Committee on Ways and Means.

Senator Perkins presented petition of citizens of Fremont county asking for geological survey.

Referred to Committee on Ways and Means.

Senator Yeomans presented remonstrance of 350 citizens of Des Moines remonstrating against any change in exemption laws.

Referred to Committee on Judiciary.

Senator Yeomans presented remonstrance of 760 citizens of Des Moines remonstrating against any change in exemption laws.

Referred to Committee on Judiciary.

Senator Schmidt presented petition of business men of Scott county asking for change in exemption laws.

Referred to Committee on Judiciary.

Senator Yeomans presented petition of citizens of Des Moines, asking for the passage of a law compelling employers of female labor to furnish seats to such employes and allow the use of the same.

Referred to Committee on Public Health.

Senator Oleson presented petition of citizens of Webster county, asking for geological survey.

Referred to Committee on Ways and Means.

Senator Harmon presented petition of citizens of Buchanan county, asking for geological survey.

Referred to Committee on Ways and Means.

Senator Harmon presented petition of citizens of Delaware county for a geological survey.

Referred to Committee on Ways and Means.

Senator Smith, of Wapello, presented petition of citizens of Wapello county asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Green presented petition of citizens of Jones county for a geological survey.

Referred to Committee on Ways and Means.

Senator Harsh presented petition of citizens of Union county, asking for change in exemption laws.

Referred to Committee on Judiciary.

Senator Chantry presented petition of citizens of Glenwood, asking for geological survey.

Referred to Committee on Ways and Means.

Senator Groneweg presented petition of citizens of Pottawattamie county, asking for a geological survey of the State.

Referred to Committee on Ways and Means.

Senator Smith, of Wright, presented petition of Adelpia Assembly No. 2290, K. of L. of Webster City, Iowa, favoring the establishment of a free public employment office in connection with the bureau of labor statistics. Referred to Committee on Labor.

Senator Lewis presented petition of S. F. Shields and two hundred other citizens of Wayne county, asking for the erection of cottages at Marshalltown for dependent soldiers and their wives. Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Everall, Senate file No. 147, a bill for an act fixing the rate of charges of persons, firms or corporations operating sleeping cars in the State of Iowa.

Read first and second times and referred to Committee on Corporations.

By Senator Finn, Senate file, No. 148, a bill for an act to amend section 326 of the Code of Iowa in reference to the terms of office of county auditors and county treasurers.

Read first and second times and referred to Committee on Judiciary.

By Senator Finn, Senate file No. 149, a bill for an act creating a board of school book commissioners and to provide for furnishing text books for the use of the common schools of the State.

Read first and second times and referred to Committee on Schools.

By Senator Groneweg, Senate file No. 150, a bill for an act to

amend section 3, chapter 77, acts of the Seventeenth General Assembly relating to the powers and duties of the board of railroad commissioners.

Read first and second times and referred to Committee on Railways.

By Senator Parrott, Senate file No. 151, a bill for an act to amend section 1072 of the code relating to the hours of opening and closing the polls of all general elections.

Read first and second times and referred to Committee on Elections.

By Senator Funk, Senate file No. 152, a bill for an act to restrain hunters from trespassing upon cultivated lands or enclosed grounds, without permission, and providing penalties therefor.

Read first and second times and referred to Committee on Fish and Game.

JOINT RESOLUTIONS.

Senator Reiniger introduced the following joint resolution No. 10, for an act proposing to amend the constitution so as to prohibit intoxicating liquors from being manufactured or sold as a beverage:

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa be and is hereby proposed and referred to the legislature of Iowa, to be elected at the next general election for members of the General Assembly thereof; that is to say, add to article one (1) of the constitution the following as section twenty-six (26):

SECTION 26. The manufacture, sale and keeping for sale of all intoxicating liquors whatever, is prohibited, except for medicinal, chemical, mechanical and sacramental purposes.

The General Assembly shall by appropriate legislation, provide for the enforcement of this section.

Read a first and second times and referred to Committee on Constitutional Amendments.

By Senator Oleson, joint resolution No. 11, to members of Congress, instructing them to procure an act of Congress indemnifying the *bona fide* settlers of Des Moines river lands.

Read a first and second time and referred to the Committee on Federal Relations.

Senator Schmidt introduced the following resolution which went over until to-morrow, under the rule:

Resolved, That the Attorney-General of this State be, and he is hereby requested to report to this Senate as soon as possible, the following:

First. Whether or not any litigation is now pending in either the State or federal courts in relation to the interpretation and construction of chapter 114, laws of the Seventeenth General Assembly, or other statutory provisions, relating to the taxation of sleeping and dining cars, in which any of the counties of this State or the State is interested, and in which the Attorney-General has appeared.

Second. In case any such litigation should now be pending in any of the federal or State courts, and in which the Attorney-General has appeared, that he be requested to report to this Senate the following data, to-wit: When said suit or suits pending were commenced; against whom and by whom? That the Attorney-General be further requested to inform the Senate of the present status of any such actions now pending, and in what court or courts, and the steps now necessary to be taken to bring said action or actions to a final and speedy determination and adjudication.

The following communication was read and referred to the Committee on Horticulture and Forestry:

LENOX, IOWA, January 26, 1892.

To the Secretary of the Iowa Senate:

SIR: The Western Iowa Horticultural Society at the annual meeting, held in Council Bluffs, December 8, 9, and 10, 1891, decided by a unanimous vote to ask the Iowa legislature to publish the proceedings of the Iowa Academy of Science. Believing this to be the most direct way of bringing the matter to the attention of the Senate, I ask that this may be in some proper manner brought to the attention of the Senate or the appropriate committee.

Yours truly,

GEO. VAN HOUTEN.

Secretary Western Iowa Horticultural Society.

REPORTS OF STANDING COMMITTEES.

Senator Groneweg, for the Committee on Ways and Means, submitted the following report, which was read and ordered passed on file and on motion of Senator Finn the resolutions and recommendations were re-committed to the Committee on Judiciary:

To the President of the Senate: The Committee on Ways and Means, to whom was referred the concurrent resolution referring to the Governor receiving the direct tax from the United States under the act of Congress approved March 2nd, 1891, and which resolution passed the House January 25th, 1892, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

First. Insert after the word "resolved" in the first line, words "by the House."

Second. By inserting after the word "the" in the third line, the word "said."

Third. By inserting after the word "appropriated" in the third line, the following: "By said act of Congress, approved March 2nd, 1891."

Fourth. By striking out the word "herein" in the third line.

And that when so amended that the resolution do pass.

Respectfully submitted,

WM. GRONEWEG, *Chairman.*

Senator Everall, for the committee which was appointed to inquire into the cause of the delay in printing bills, submitted the following report:

MR. PRESIDENT—As Chairman of the Committee on Printing, which committee was instructed to ascertain the cause of delay in furnishing the Senate with printed copies of bills introduced, I would respectfully report that I have seen the State Printer in regard to this matter. He acknowledged that there had been some confusion and delay in filling Senate bills, largely on account as he says, of No. 51 being numbered and printed as 57. He says, further, that Senate bills are now all in type and the last of them would be delivered by State Binder by 10 A. M., Wednesday. I am of the opinion that, the printer being up with his work, no further trouble in this direction will occur.

JOHN EVERALL, *Chairman.*

Ordered passed on file.

Senator Rich from the Committee on Agriculture submitted the following report:

MR. PRESIDENT.—Your Committee on Agriculture to whom was referred Senate file No. 44, a bill for an act to amend section 3977, of the Code of Iowa, relative to malicious injury to stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate amended as follows: To strike out "one hundred" and insert "seventy-five" in the fifth line; also strike out "one hundred" and insert "seventy-five," "county jail" and insert "penitentiary" and "one year" and insert "six months," in the eighth line, with the recommendation that the bill, when so amended, do pass.

THOMAS RICH, *Chairman.*

Ordered passed on file.

Senator Dodge introduced the following resolutions, and on motion the resolutions were made a special order for February 9, 1892, at 3 o'clock P. M.

On March 7, 1891, Senator P. G. Ballingall, a member of the Senate of the Twenty-third General Assembly, died while on an ocean voyage near the port of Hong Kong, on his second trip around the world.

On April 14th he was buried at his home in Ottumwa, Iowa. As a mark of respect to the distinguished dead, Governor Boies and staff, Lieutenant-Governor Poyneer and thirty-two members of the Senate of the Twenty-third General Assembly attended his funeral. On this day, April 14, 1891, Lieutenant-Governor Poyneer called a meeting at the Ballingall House in Ottumwa of the Senators in attendance, to take appropriate action on the death of Senator Ballingall. It was resolved at this meeting that resolutions be prepared by a special committee, consisting of Senators Dodge, Gatch, Cleveland, Perkins and Vale. These resolutions were to be presented at the session of the Twenty-fourth General Assembly, and entered in the journal of that body. Therefore, in mournful obedience, the committee submit the following resolutions:

WHEREAS, On March 7, 1891, Hon. Peter G. Ballingall, a member of the Twenty-third General Assembly, died at sea near the port of Hong Kong, while on his second trip around the world, and was buried at his home in Ottumwa, Iowa, on April 14, 1891;

Resolved, That in the death of Senator Ballingall we mourn the loss of an able, conscientious member of the Legislature of Iowa, a true and tried tribune of the people, one devoted to the best interests, not only of his constituents, but of the people of the State whom he served with such signal ability on the floor of this

Senate. We remember the kindly qualities of his generous heart, the noble attributes of his manhood, and shall ever cherish with fond and sincere recollection our departed colleague, friend and brother.

Resolved, That these resolutions be entered on the Journal of this Senate.

Resolved, That the Secretary of State be instructed to send an engrossed copy of these resolutions to Mrs. J. Phillips, a sister of the late Senator Ballingall.

W. W. DODGE,
C. H. GATCH,
W. F. CLEVELAND,
GEORGE W. PERKINS,
B. R. VALE,

Committee.

Concurrent resolutions from the House asking our representatives and senators in Congress to support what is known as the "Hatch Bill," was taken up, read a first and second times, and referred to the Committee on Federal Relations.

Senator Cleveland moved that the Senate do now adjourn until 10 o'clock A. M., Wednesday, February 3, 1892.

The motion prevailed and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 3, 1892. }

Senate met pursuant to adjournment at 10 o'clock, A. M., President Bestow presiding.

Leave of absence was granted Senators Brower, until Thursday, February 4, 1892, and Bailey to Friday, February 5, 1892.

PETITIONS AND MEMORIALS.

Senator Everall presented petition and memorial of Marion Farmers' Alliance, Clayton county, asking for change in revenue laws.

Referred to Committee on Judiciary.

Senator Finn presented petition of citizens of Adams county, asking for change in exemption laws.

Referred to Committee on Judiciary.

Senator Green presented petition of citizens of Jones county for the erection of cottages for soldiers and sailors and their wives at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Dodge presented petition of citizens of Des Moines county for geological survey.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Chantry, Senate file No. 153, a bill for an act to amend section 645, chapter 10 of the Code.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Finn, Senate file No. 154, a bill for an act to regulate banking in the State of Iowa, and to provide for the establishment and examination of private banks.

Read first and second times and referred to the Committee on Judiciary.

By Senator Groneweg, Senate file No. 155, a bill for an act making appropriation for the Institution of the Deaf and Dumb at Council Bluffs, Iowa.

Read first and second times and referred to the Committee on Appropriation.

By Senator Harmon, Senate file No. 156, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa.

Read first and second times and referred to Committee on Public Lands.

By Senator Jamison, by request, Senate file No. 157, a bill for an act authorizing the board of supervisors of any county in the State to grant to any company or corporation desiring to build and operate a railway by electric or any motive power, other than animal or steam, permission to build and operate such railway along, upon or across any public highway in such county.

Read first and second times and referred to Committee on Railways.

By Senator Kelly, Senate file No. 158, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in the aid of the income fund and for the development of the institution.

Read first and second times and referred to Committee on Appropriations.

By Senator Mack, Senate file No. 159, a bill for an act for the permanent support and maintenance of the State University, and to provide for the erection of necessary buildings therefor.

Read first and second times and referred to the Committee on Appropriations.

By Senator McCall, Senate file No. 160, a bill for an act making appropriations to the State Agricultural College.

Read first and second times and referred to Committee on Appropriations.

By Senator Schmidt, Senate file No. 161, a bill for an act making an appropriation for the annual payment of the water rates of the soldiers' and orphans' home and home for indigent children at Davenport, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Mack, Senate file No. 162, a bill to provide for the teaching of vocal music in the public schools.

Read first and second times and referred to the Committee on Schools.

Senator Funk offered the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate be instructed to prepare and have printed daily one hundred copies of a calendar containing all bills reported by

committees, bills on third reading, special orders and joint resolutions, for the use of the Senate.

Adopted.

Senator Kelly offered the following resolution and moved its adoption:

Resolved, That hereafter the daily sessions of the Senate shall be from 10 o'clock A. M. until 12 o'clock M., unless otherwise ordered.

Adopted.

Senator Perry offered the following resolution and moved its adoption:

Resolved by the Senate, the House concurring, That Captain Hubbard be employed to act as mail carrier for this General Assembly, at two dollars per day in addition to the amount now paid him by the Executive Council, for carrying the mail to be distributed at the capitol building.

The resolution went over until to-morrow, under the rules.

Senator Schmidt called up his resolution, asking information from the Attorney-General, and asked that the resolution be adopted.

The resolution was adopted.

Senator Perry offered the following resolutions, and moved their adoption:

WHEREAS, The long and persistent refusal of the Speaker of the House of Representatives to concur with the President of the Senate in certifying to the election of Samuel N. Parsons as secretary of this body, as required by the acts of the Fifteenth General Assembly, chapter 3, section 1, not only tends to disturb the friendly official relations that should properly exist between the Senate and House, but it tends to obstruct the due course of legislation by the General Assembly; therefore, as a means to effect a speedy and satisfactory solution of this unpleasant state of affairs, be it

Resolved, That the Speaker of the House of Representatives be and is hereby kindly and most respectfully requested to consult Hon. John Y. Stone, attorney-general, the highest law officer of the State, and solicit his opinion upon the following propositions:

1. Whether the Senate of this State has the power to pass upon and determine the election and qualification of its own secretary.

2. Whether it, as a legislative body, has the power and authority to remove its secretary and elect another.

3. Whether, after the Senate has removed its secretary and elected another, a district court of this State has jurisdiction to try the right of the latter to hold his office.

4. Whether the right of Samuel N. Parsons to act as Secretary of the Senate can be inquired into by an injunction proceedings.

5. Whether the Speaker of the House is justified, under the law, in refusing to concur with the President of the Senate, in certifying the election of Samuel N. Parsons as Secretary.

Resolved further, That a certified copy of the foregoing be served upon the Speaker of the House.

Under the rules the resolution went over until to-morrow.

President *pro tem.*, Kelly, took the chair.

Senator Gatch introduced the following concurrent resolution which was read, and was referred to Committee on Public Lands.

CONCURRENT RESOLUTIONS IN RELATION TO THE SWAMP LAND INDEMNITY.

WHEREAS, The provisions of the Act of Congress of March 2, 1855, as extended by the Act of Congress of March 3, 1857, granting indemnity to the state for swamp and overflowed lands disposed of by the United States are held not to apply to sales and locations made after March 3, 1857, and

WHEREAS, A large amount of land properly falling to the state and counties in Iowa under the swamp grant had been disposed of by the Government since March 3, 1857, thereby compelling the counties and their grantees to abandon their claim to such lands or litigate with the purchasers of the government, and

WHEREAS, On the 11th day of January, 1892, the Hon. Mr. McRae introduced in the House of Representatives in Congress a bill (H. R. 2630) to extend the indemnity provisions of said act of March 2, 1855, and making the same applicable to sales and locations made since March 3, 1857, which bill is pending in Congress.

WHEREAS, Under the rulings of the department certificates called script or indemnity script issued for indemnity for swamp lands located with warrants, cannot be located on lands outside of the state, and there being no vacant lands in Iowa on which script can be located, many of the counties in this state, after great expense, are unable to realize anything for their swamp lands so disposed of by warrant locations, and by that means are damaged to a large amount. Therefore,

Be it resolved by the Senate, state of Iowa, House concurring, That our Senators be instructed and our Representatives in Congress be requested to use all proper and lawful means in their power to secure the passage of said bill, (H. R. 2630), or by the enactment in some other bill of provisions substantially therein contained.

Resolved further, That the Secretary of State transmit to each of our Senators and Representatives in Congress a copy of this resolution.

Senator Reiniger introduced the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Appropriations Committees of the General Assembly be and are hereby instructed to report no extraordinary appropriations in excess of the surplus revenue of the State, based on a levy of a two mills State tax.

Passed on file.

Senator Reiniger introduced the following resolution and moved its adoption:

Resolved, That the Custodian of the Senate chamber be instructed to have no janitor work done in the Senate chamber before 10 o'clock P. M.

Passed on file.

REPORTS OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 8, requesting additional legislation by Congress, to prevent the formation of trusts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the Joint Resolution be referred to the Committee on Federal Relations.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 51, a bill for an act to protect the breeders of trotting and pacing horses and fair associations of the State of Iowa, report the same back to the Senate with the following amendments:

SECTION 1. Strike out all in the first line after the word "that," to and including the word "Iowa" in the second line.

SECTION 2. Strike out in the first line the words, "Be it further enacted;" in the second line strike out the words "State prison" and insert the word "penitentiary;" in the third line strike out the words, "less than one year, nor;" in fourth line strike out the word, "definite;" also in the fourth line strike out the words, "not less than six months," and insert in lieu thereof the words "not more than one year."

And as amended, recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate file No. 76, a bill for an act to legalize the incorporation of the town of Shelby, Shelby county, Iowa, the election of its officers, all the acts done, and the ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

On motion of Senator Cleveland, Senate file No. 76, a bill for an act to legalize the incorporation of the town of Shelby, Shelby county, Iowa; the election of its officers and the acts done and the ordinances passed by the council of said town, with report of committee recommending the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Dodge,

Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Conaway, Dent, Engle, Funk, Kent, Mosnat, Reiniger—9.

So the bill passed and the title was agreed to.

On motion of Senator Schmidt the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 4, 1892. }

Senate met in regular session, Senator Kelly, President *pro tem*, presiding.

President Bestow took the chair.

Prayer by Rev. C. H. Strickland, of Sioux City, Iowa.

On request of Senator Lewis, leave of absence for the remainder of the week was granted Senator Harsh.

By request of Senator Perkins, leave of absence was granted Senator Engle on account of sickness.

By request of Senator Dent, Senate file No. 54 was recalled from the Committee on Fish and Game and referred to Committee on Agriculture.

PETITIONS AND MEMORIALS.

Senator Dodge presented petition of five hundred citizens of Des Moines county asking that no change be made in exemption laws.

Referred to Committee on Judiciary.

Senator Bishop presented petition of citizens of Sioux county asking for change in revenue laws.

Referred to Committee on Federal Relations.

Senator Bishop presented petition of citizens of Sioux county in favor of joint resolution relating to Conger lard bill and option bill.

Referred to Committee on Federal Relations.

Senator Jewett presented petition of twenty-three citizens of Worth county, asking the Twenty-fourth General Assembly to pass joint resolution favoring the passage by the Fifty-first Congress of the Conger lard bill; also option bill.

Referred to Committee on Agriculture.

Senator Yeomans presented petition of citizens of Woodbury county, asking a revenue tax be imposed upon compound lard.

Referred to Committee on Agriculture.

Senator Stewart presented petition from ex-soldiers of Keokuk county asking that a monument be built in each county seat.

Referred to the Committee on Military.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 163, a bill for an act to repeal section 4042, Code of 1873, and to enact a substitute therefor, relating to the sale of milk.

Read first and second times and referred to the Committee on Public Health.

By Senator Dodge, Senate file No. 164, a bill for an act to amend the law relating to conspiracy, and to amend section 4087, Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gardiner, Senate file No. 165, a bill for an act legalizing the organization of the city of Clinton, in the county of Clinton, and State of Iowa, as a city of the first-class, and the elections of its officers and legalizing the ordinances and resolutions passed and adopted by the city council of said city, and the acts of said city council and officers of said city.

Read first and second times and referred to the Committee on Judiciary.

By Senator Green, Senate file No. 166, a bill for an act to make an appropriation for the Penitentiary at Anamosa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Palmer, Senate file No. 167, a bill for an act to amend section 14, chapter 151, acts of the Eighteenth General Assembly, in relation to local boards of health.

Read first and second times and referred to the Committee on Public Health.

By Senator Yeomans, Senate file No. 168, a bill for an act supplemental to an act entitled "an act to regulate admission to practice as attorneys and counselors in the courts of Iowa," being chapter 168 of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Groneweg, Senate file No. 169, a bill for an act to amend section 1, chapter 24, of the acts of the Twentieth General Assembly, in relation to station houses at intersections.

Read first and second times and referred to Committee on Railroads.

By Senator Groneweg, Senate file No. 170, a bill for an act to amend section 1, chapter 139, of the acts of the Twentieth General Assembly, in relation to union depots.

Read first and second times and referred to Committee to Railroads.

By Senator Conaway, by request, Senate file No. 171, a bill for an act to direct the manner of voting on school-house questions in all

independent districts, in cities and incorporated towns, at the annual meeting on the second Monday in March, under section 1807 of the Code.

Read first and second times and referred to Committee on Schools.

By Senator Dodge, by request, Senate file No. 172, a bill for an act legalizing revised ordinance No. 21, passed October 19th, 1888, by the town council of Belle Plaine, Iowa, and the acts of the town council in passing the same.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kent, Senate file No. 173, a petition of Hugh R. Belknap, administrator, and Amanda T. Belknap, for an appropriation to pay compensation for services in connection with direct tax bill.

Read first and second times and referred to the Committee on Claims.

Senator Cleveland offered the following resolution and moved its adoption:

Resolved, That all committee clerks subject to detail under Senate rule 28, except the clerks of the Committees on Ways and Means, Judiciary, Appropriations, Suppression of Intemperance, Railways, Agriculture, Schools, Engrossed Bills and Enrolled Bills, are hereby required to report for duty to the Secretary of the Senate at or before 9 A. M., upon Monday and Thursday of each week, and said Secretary is hereby instructed and required to certify for payment such committee clerks only, of those subject to detail, as shall report to him on said dates, unless good excuse is shown for such failure to report.

Under the rule the resolution was passed over until to-morrow.

The following report of Attorney-General John Y. Stone, in response to Senate resolution in relation to sleeping and dining car tax suits, was received, placed on file and ordered printed:

DES MOINES, IOWA, February 3, 1892.

HON. S. L. BESTOW, *President of the Senate*:

SIR—I am in receipt of a resolution of the Senate this day passed, which was as follows:

Resolved, That the Attorney-General of this State be and is hereby requested to report to this Senate as soon as possible the following:

First—Whether or not any litigation is now pending in either the State or Federal courts in relation to the interpretation and construction of chapter 114, laws of the Seventeenth General Assembly, or other statutory provision relating to the taxation of sleeping and dining cars in which any of the counties of this State or the State is interested, and in which the Attorney-General has appeared.

Second—In case any such litigation should now be pending in any of the Federal or State courts, and in which the Attorney-General has appeared, that he be requested to report to this Senate the following data, to-wit: When said suit or suits pending were commenced, against whom and by whom; that the Attorney-General be further requested to inform the Senate of the present status of any such action now pending, and in what court or courts, and the steps now necessary to be taken to bring said action or actions to a final and speedy determination and adjudication.

Responding to this request I have to say, that on the 26th day of March, 1883, Pullman's Palace Car Company filed in the office of the clerk of the circuit court of the United States for the southern district of Iowa, middle division at Des Moines, a bill in equity against all the county treasurers in the State of Iowa by name. The object of this suit was to prevent the collection by the county

treasurers of a certain portion of taxes assessed against the railroad companies of the State upon the theory, as advanced by the Pullman Company, that the taxes, while assessed against the railroad companies, were in fact, charged against the Pullman Company. The theory of the plaintiff's suit was that in as much as its cars were employed on the railroads in such manner that they were carried from one state or territory into other states or territories, the attempt to charge a tax against such property was a violation of the inter-state commerce provisions of the constitution of the United States. Three days prior to the filing of this bill Hon. D. J. Brewer, then the circuit judge of this district, issued a restraining order against these county treasurers forbidding them from attempting to collect any of these taxes until further orders of the court. My predecessor, Attorney-General Baker, appeared in this cause, and represented the defendants. As I am informed, he appeared in St. Louis, in April, 1888, upon order of Judge Brewer, citing the defendants to then appear before him and show cause why the injunction should not be issued, and the injunction was continued in force. By the conclusion of the May term of the Federal Court at Des Moines, 1888, the cause was at issue. Nothing further appeared to have been done therein until the October term, 1888, when an agreed statement of facts was filed, signed by General Baker for State of Iowa, and by the attorney of the Pullman Company for the plaintiff. At this time, as I was informed by General Baker soon after I entered upon the discharge of my duties in this office, it became known that there was a case in the State of Pennsylvania then pending in the Supreme Court of the United States which involved the principle at issue in our cause. It was understood at the same time that the question had never been determined, that it was open to controversy, and that the result was in doubt, it having been made to appear in the various orders and application for orders that had been made to the different judges that there was a disagreement among them as to what the law was. In this attitude of affairs it was not considered advisable to take further action in our case, as I was informed by General Baker, and both the parties and the court were of the opinion that the cause should stand on the calendar and await the determination of the Pennsylvania case. This Pennsylvania case was argued in the Supreme Court of the United States, October 18, 1888, about the time of the convening of the Federal Court in Des Moines for that month and year. On November 5, 1888, the Supreme Court ordered that the case be re-argued, thus leaving the matter as if no argument had been made. On March 6, 1890, there was a full re-argument of the case in the Supreme Court, and it was again submitted to that body. On May 25, 1891, the cause was decided, and the decision was favorable to the State of Pennsylvania, and is, I think, decisive of our Iowa case; but the Pullman Company promptly filed a petition for a re-hearing, and thus the matter stood during the summer and fall, and until after the assembling of Court in October last. Sometime after that, and but a short time since, the precise date of which I am not at this moment able to give, the Supreme Court, after a reconsideration of the whole matter, adhered to its decision of May last, so that the question may now be considered to be at rest. This decision is to be found on page 18, volume 141, of the Supreme Court Reports. It was dissented from by Justices Bradley, Field, and Harlan.

Our Iowa cause still stands on the calendar in pursuance of the arrangement above mentioned. I ought to have stated that each year since the beginning of the suit the Pullman company has filed a supplemental bill asking for an injunction against the collection of the taxes of that year, and an order for this injunction has always been made by the court or judge. Thus the cause stands to-day. I do not see any reason why it cannot be made ready for submission at the next term of the Federal Court in Des Moines; which will be in May of this year. Of course I cannot anticipate what the orders of the court may be with reference to a continuance or otherwise, but so far as I am concerned I shall endeavor to have the cause submitted then. I should here state that the next May term will be the first term at which it shall have been possible for said cause to be submitted after the final determination of the Pennsylvania case.

In connection with the subject I beg to call the attention of the Senate to the case of the State of Maine vs. the Grand Trunk Railway Company of Canada in the Supreme Court of the United States, decided December 14, 1891, and already reported in No. 9, Vol. 12, of the Supreme Court Reporter. This case discloses the principle under consideration and it shows both sides, for from the decision Justices Bradley Harlan, Lemar and Brown dissented. From these two decisions it will be

apparent how closely divided the Supreme Court of the United States has been in this important question.

I send herewith a certified copy of the record in our case up to March 19, 1889, which fully discloses the issues and questions involved. I beg permission, however, to withdraw this record at as early a day as will be consistent with the needs of the Senate. It will be observed from an inspection of its papers that Chapter 114, Laws of the Seventeenth General Assembly, relating to the taxation of sleeping and dining cars, is brought in question and claimed to be unconstitutional. I have the honor to be,

Respectfully yours,

JOHN Y. STONE,

Attorney-General.

The following communication was received from the Public Health Association, of Des Moines:

WHEREAS, The World's Columbian Exposition, which is to be formally opened with appropriate ceremonies October 12 to 16, 1892, and opened to visitors from all parts of the world, May 1, 1893, and,

WHEREAS, Nearly all of the nations of this world and most of the States and Territories of our own country have decided to take part in said exposition, and we believe this presents a most favorable time for Iowa to present her advantages to the world, therefore

Resolved, That this association is in full accord with the work of the Iowa Columbian Commission, and favors a liberal appropriation, to be made by the General Assembly now in session, to enable the State to make a creditable display of all her industries at said Exposition.

Passed by the Iowa Public Health Association, held in Des Moines, Iowa, January 29, 1892.

L. S. BIGELOW, *Secretary.*

Passed on file.

Senator Reiniger called up resolution introduced by him yesterday, that the Custodian of the Senate chamber be instructed to have no janitor work done in the Senate chamber before 10 o'clock P. M., and moved its adoption.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

The following concurrent resolution was received from the House, and on motion of Senator Reiniger, was referred to the Committee on Mail Carrier:

Resolved by the House, the Senate concurring, That F. L. Barnett be selected to act as mail carrier for the Twenty-fourth General Assembly during this session.

Senator Schmidt moved that Senate file No. 1 be made a special order for Thursday, February 11, 1892.

The motion prevailed.

Senator Kelley offered the following concurrent resolution:

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House of the Twenty-fourth General Assembly shall each declare their respective houses adjourned *sine die* on Wednesday, March 23, 1892, at 12 o'clock, noon.

Passed on file.

President *pro tem*, Senator Kelly took the chair.

REPORTS OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 104, a bill for an act to amend section 4780 of the Code, in relation to the visitors' fund and the disbursement thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the publication clause be stricken out and that the bill do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary to whom was referred Senate file No. 124, a bill for an act to amend Chapter 171, acts of the Nineteenth General Assembly beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that bill do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Senator Schmidt, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 1, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the following amendments, with the recommendation that when so amended, that it do pass.

That the word "or," which occurs as the thirteenth word in the sixth line of section 1 be stricken out, and the word "and" inserted in place thereof.

That the following clause be inserted between the words "court" and "and," as they occur in the fourth line of section seven (7): "Within ten (10) days from the day upon which such election was held."

That the word "or" be inserted between the words "sale" and "for," as they occur in line 2 of section 8.

That the word "respectable," which occurs in the sixth line of section 8, be stricken out, and the words "good moral" inserted in lieu thereof.

That the clause, "by the county treasurer" be inserted between the words "paid" and "to," as they occur in the tenth line of section 11.

That the words, "treasury of the" be inserted between the words "the" and "municipality" as they occur in the fifteenth line of section 11.

That the letter "n" as it occurs the second time in the first word in line two in section 12, be stricken out and the letter "u" be substituted therefor.

That the letter "r" as it occurs the second time in the sixteenth word in the fifteenth line in section 12, be stricken out and the letter "a" be substituted therefor.

That the word "druggists" as occurring in the second line of Section 17 shall be stricken out and the words "registered pharmacists" inserted in place thereof.

That the letter "u" as it occurs in the fourteenth word of line 2 in Section 17 be stricken out and the letter "n" substituted therefor.

That the word "of" as it occurs as the tenth word in line 4 of Section 17 be stricken out and the word "with" inserted in place thereof.

That the word "druggist" which occurs in line 5 of Section 17 be stricken out and the words "registered pharmacist" inserted in lieu thereof.

That the word "druggist," as occurring in first line of section 18, be stricken out, and the words "registered pharmacist" inserted in place thereof.

That the word "druggists," as occurring in line 5 of section 18, be stricken out, and the words "registered pharmacist" inserted in lieu thereof.

That the first letter "s" which occurs in the fifth word of line 8 in section 18, be stricken out, and the letter "a" be substituted therefor.

That the word "will," which occurs as the ninth word in the eighth line of section 18, be stricken out, and the word "shall" be inserted in lieu thereof.

That the word "druggist" as it occurs in line 9 of section 18 be stricken out and the words "registered pharmacist" inserted in place thereof.

That the word "druggist" as it occurs in line 10 of section 18 be stricken out and the words "registered pharmacist" inserted in place thereof.

That the word "than" be inserted between the words "more" and "one" as they occur in the thirteenth line of section 18.

That the word "at," which occurs as the fourth word in the fourteenth line of section 18, be stricken out and the word "in" inserted in lieu thereof.

That the word "druggist," as occurring in the second line of section 19, be stricken out and the words "registered pharmacist" be inserted in lieu thereof.

That the letter "d," as occurring in the fourth word of the third line of section 19, be stricken out and the letter "q" substituted therefor.

That the word "and" which occurs as the eleventh word in the third line of section 19, be stricken out and the word "or" substituted therefor.

That the word "or," which occurs as the third word in section 20, be stricken out and the word "and" inserted in lieu thereof.

WM. O. SCHMIDT, *Chairman*.

Ordered passed on file.

Senator Yeomans called up Senate file No. 51, and moved that recommendations of the committee be concurred in.

Adopted.

On motion of Senator Yeomans the bill was ordered engrossed.

Senator Vale called up Senate file No. 44 and moved that the amendments recommended be adopted.

Carried.

On motion of Senator Vale the bill as amended was ordered engrossed.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 106, a bill for an act making appropriation for the use and benefit of the Iowa State Dairy Association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Joint Resolution No. 2, beg leave to report that it has had the same under consideration, and has instructed me to report the following amendments: After the word "whereas," in the first line, insert the words "it has been reported that;" after the word "distribution," in the third line of the second paragraph, add the words provided "however that such persons who superintend the distribution of said goods do not incur any expense to the government of the United States; after the word "whereas," in the first line of the third paragraph, insert the words "it is reported that;" before the word "road," in the fourth line of the third paragraph insert the word "rail;" insert between the words "Atlantic board," in the fifth line of the third paragraph, the word "sea;" and after the word "peasantry," at the close of the fourth paragraph add the words "provided that the Russian government is not at this time able to transport such donations of food supplies from our seaboard

to the Russian ports," in which the committee asks the concurrence of the Senate, and as amended, that the resolution do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Cleveland from the Committee on Appropriations submitted the following report.

MR. PRESIDENT:—Your committee on appropriations to whom was referred a concurrent resolution creating a standing committee on State Institutions introduced by Senator Gobble, January 26th, 1892, beg leave to report that they have had the same under consideration and submit the following committee substitute:

Resolved by the Senate, the House concurring, that the President of the Senate and Speaker of the House of Representatives be, and are hereby directed to appoint a committee of two from each of their respective bodies to be selected equally from the two leading political parties, to act as a special joint standing Committee on State Institutions.

Said committee to hold itself in readiness to make such investigations, or secure as far as practicable, such information as the Appropriations Committee of the two branches of the General Assembly may jointly deem necessary.

It shall be competent for said committee to act by any two of its members of opposite political parties; and have instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

HOUSE JOINT RESOLUTION NO. 2,

as amended by the report of the Committee on Federal Relations :

WHEREAS, It has been reported that the Imperial Government in St. Petersburg, Russia, has authorized the Russian legation at Washington, D. C., to say that all American donations of goods, for the relief of the starving people of Russia, will be received in the generous spirit in which they are made; and

WHEREAS, Americans will be permitted to go with such goods to their destination and superintend their distribution; *provided*, however, that such persons who superintend the distribution of said goods do not incur any expense to the government of the United States; and

WHEREAS, It is reported that Russian steamships and Russian railroads have offered to transport such goods to their particular destination upon their arrival in Russia, and every American railroad from the Missouri river to the Atlantic seaboard has offered to carry the same absolutely without cost; therefore, be it

Resolved by the General Assembly of the State of Iowa, That we respectfully request our Representatives and Senators in Congress to favor immediate action by Congress, looking to the transportation of the gifts of the people of this country to the starving Russian peasantry; *provided*, that the Russian government is not, at this time, able to transport such donations of food supplies from our seaboard to Russian ports.

Resolved, That a duly certified copy of this resolution be sent to each of our Senators and Representatives in Congress.

BILLS ON THIRD READING.

On motion of Senator Bolter, Senate file No. 124, a bill for an act to amend Chapter 171, acts of the Nineteenth General Assembly, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bolter moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Everall, Funk, Gatch, Gobble, Hager, Harmon, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Perry, Wright, Stewart, Terry, Turner, Vale—34.

The nays were :

Senators Groneweg and Reiniger—2.

Absent or not voting:

Senators Bailey, Brower, Conaway, Engle, Finn, Gardiner, Green, Harsh, Jewett, Mattoon, Rich, Shields, Yeomans—14.

So the bill passed and the title was agreed to.

Senator Cleveland moved that the Senate do now adjourn.

The motion prevailed and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, February 5, 1892. }

The Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by the Rev. D. McPherson, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Gobble presented petition from cigar makers of Muscatine, Muscatine county, asking for a bill for the protection of trade marks.

Referred to Committee on Labor.

Senator Gobble presented petition of citizens of Muscatine, Muscatine county, asking for an amendment to chapter 15, acts of the Twenty-third General Assembly.

Referred to Committee on Cities and Towns.

Senator Bailey presented petition of H. C. Salisbury and forty-five other citizens of Howard county asking for geological survey.

Referred to Committee on Ways and Means.

Senator Conaway presented petition of J. W. Smith and twenty-nine other citizens of Oskaloosa, Iowa, asking for a change in section 3508 of the Code of 1873, giving to justices of the peace jurisdiction where the amount in controversy is three hundred dollars, and by the consent of the parties contesting, shall be extended to five hundred dollars.

Referred to Committee on Judiciary.

Senator Conaway presented petition of Albert W. Swalm and other citizens of Mahaska county, asking for a geological survey of Iowa.

Referred to Committee on Ways and Means.

Senator Perry presented petition of John Coughton and other citizens of Monroe county in favor of a thorough revision of the revenue laws; to protect makers of promissory notes against so-called innocent purchasers; in favor of Australian ballot system; election of United States senators by the people, and to correct abuses at the union stock yards.

Referred to Committee on Ways and Means.

Senator Perry presented petition and memorial of citizens of Monroe county, in favor of the Conger lard bill and the option bill.

Referred to Committee on Federal Relations.

Senator Everall presented petition of citizens of Clayton county in favor of the Conger lard and option bill.

Referred to Committee on Ways and Means.

Senator Everall presented petition of citizens of Clayton county, asking for change in revenue laws.

Referred to Committee on Federal Relations.

Senator Conaway presented petition of citizens of Mahaska county favoring Conger lard bill.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate file No. 176, a bill for an act conferring the right upon a wife to institute civil proceedings against her husband without furnishing bond and also to provide for the attorney's fees.

Read first and second times and referred to Committee on Judiciary.

By Senator Hager, by request, Senate file No. 177, a bill for an act to legalize the acts of the board of supervisors of Madison county, Iowa, in relation to refunding its bonded indebtedness.

Read first and second times and referred to Committee on Judiciary.

By Senator Hager, by request, Senate file No. 178, a bill for an act to amend sections 289 and 290, of the code of 1873, as amended by chapter 26, laws of the Twenty-third General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Read first and second times and referred to Committee on Judiciary.

By Senator Hager, Senate file No. 179, a bill for an act to amend section 203 of the Code as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of clerks of courts to Secretary of State.

Read first and second times and referred to Committee on Judiciary.

By Senator Harmon, Senate file No. 180, a bill for an act to authorize the building of a cottage for female patients adjacent to the Iowa Hospital for Insane, at Independence.

Read first and second times and referred to Committee on Appropriations.

By Senator Reiniger, Senate file No. 181, a bill for an act to amend section 4043 of the Code, relating to lotteries.

Read first and second times and referred to Committee on Judiciary.

JOINT RESOLUTION.

Senator Reiniger introduced Joint Resolution No. 12, as follows:

Be it resolved by the General Assembly of the State of Iowa:

That the following amendment to the Constitution of Iowa is hereby proposed and referred to the next General Assembly of this state, that is to say:

Add as section 39 to article 3, of the Constitution, the following:

SEC. 39. The General Assembly may submit any act passed by it to a vote of the qualified electors of the state, at a general or special election, for adoption. In such case, the act to be submitted for adoption shall not take effect unless a majority of the votes cast on the question of the adoption of the act shall be in favor of the adoption of the act; and if adopted, the act shall have the same force and effect as if it became a law without submission to a vote of the electors for adoption.

Read first and second times and referred to the Committee on Constitutional Amendments.

By Senator Yeomans, Senate file No. 182, a bill for an act requiring railroad companies, receivers or other persons owning or operating railroads in Iowa, to keep their books and accounts in such manner that they will be able to furnish statistics of the value of their properties, earnings, expenses and such other details as may be required to give a full report of their operations in the state.

Read first and second times and referred to Committee on Railways.

By Senator Dodge, by request, Senate file No. 183, a bill for an act to repeal Section 897 of the Code and to enact a substitute therefor, relating to tax deeds.

Read first and second times and referred to Committee on Judiciary

By Gatch, by request, Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the Academy of Science.

Read first and second times and referred to Committee on Printing.

Senator Conaway moved that Senate file No. 53 be returned to the State printer for correction, and three hundred copies of the corrected file printed.

Carried.

Senator Parrott called up Senate file No. 106.

Senator Cleveland moved that the bill be recommitted to the Committee on Appropriations.

Senator Mack moved to amend by instructing the Committee on Appropriations to report the bill back at the next session of the Senate.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Jamison, Jewett, Mack, Palmer, Parrott, Reiniger, Reynolds, Smith of Wright, Turner—16.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Dent, Everall, Gardi-

ner, Gatch, Gobble. Green, Groneweg, Hurst, Kelly, Kent, Lewis, McCall, Mattoon, Mosnat, Oleson, Perry, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Vale, Yeomans—27.

Absent or not voting:

Senators Brower, Dodge, Engle, Harsh, Perkins, Rich, Shields—7.

So the amendment was lost.

The question now being upon the original motion of Senator Cleveland.

The yeas were :

Senators Andrews, Bishop, Bolter, Cleveland, Dent, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Lewis, McCall, Mosnat, Oleson, Perry, Schmidt, Smith of Wapello, Stewart, Terry, Yeomans—22.

The nays were:

Senators Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Jamison, Jewett, Kent, Mack, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Turner, Vale—20.

Absent or not voting:

Senators Brower, Dodge, Engle, Everall, Harsh, Mattoon, Rich, Shields—8.

So the bill was recommitted.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT: . Your Committee on Engrossed Bills, respectfully report that they have examined Senate file No. 44, a bill for an act to amend section 3977 of the Code of Iowa, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Passed on file.

Senator Dodge from the Committee on Labor submitted the following report:

MR. PRESIDENT—Your Committee on Labor to whom was referred Senate file No. 8, a bill for an act to protect associations and unions of workingmen in their trade marks and forms of advertising, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that with the following amendments the bill do pass. Amend by the following word, "knowing" in line three of section two, the following words, "or having reason to know." Amend by adding after the word, "sale" in line eight of section four the following words, "and a reasonable attorney's fee, to be fixed by the court."

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 114, a bill for an act to protect associations and unions of workingmen and persons in their labels, trade marks and forms of advertising, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that Senate file No. 114 be indefinitely postponed, as the subject-matter of this bill is fully covered by Senate file No. 8.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 52, a bill for an act to protect associations and unions of workingmen and persons in their labels, trade marks, and forms of advertising, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that Senate file No. 52 be indefinitely postponed, as the subject-matter of this bill is fully covered by Senate file No. 8.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected three years, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate file No. 123, a bill for an act to legalize the action of the school board of the district township of Ward, in Ward township, Clarke county, Iowa, in a certain case, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate file No. 110, a bill for an act to render privileged, confidential communications to editors, publishers and reporters of newspapers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred Senate file No. 27, a bill for an act to amend Sections 1 and 2, Chapter 22, acts of Eighteenth General Assembly, in reference to reports made by Clerks of courts to Secretary of State and county Auditor to Clerk beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate file No. 103, a bill for an act to settle differences between parties by arbitration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 30, a bill for an act to repeal section 963 of the Code, in reference to costs of appeals in locating highways and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendations that it do pass.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Senator Smith, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 58, a bill for an act to amend sections 812, 822, 825 and 830, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

R. S. SMITH, *Chairman*.

Ordered passed on file.

Senator Perry called up House joint resolution No. 2, relative to transportation of food supplies to the Russian sufferers, and moved that the resolution as amended by the committee be adopted.

Carried.

The question now being on the adoption of the resolution as amended.

The same was declared carried.

Senator Kelly moved that the vote by which the resolution was adopted be re-considered.

The motion carried and the vote was re-considered.

The question now being upon the passage of the joint resolution, as amended by the committee.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Gatch, Gobble, Hager, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle, Funk, Gardiner, Green, Groneweg, Harmon, Harsh, Mosnat, Reiniger, Shields, Yeomans—13.

So the resolution as amended was adopted.

MESSAGE FROM THE GOVERNOR.

The Governor's private secretary appeared and delivered the following message:

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, February 5, 1892. }

MR. PRESIDENT: I am directed by the Governor to deliver to your honorable body his report of the reprieves, commutations and pardons granted, and the fines and forfeitures remitted, during the biennial term just closed; also a report of applications for pardon by persons convicted of the crime of murder in the first degree.

CEIFFORD D. HAM, *Private Secretary*.

Passed on file.

Senator Cleveland called up his resolution relative to committee clerks and moved its adoption.

The question now being upon the original resolution.

The resolution was adopted.

Senator Perry called up his resolution relative to the Speaker of the House and Secretary of the Senate, and moved its adoption.

Senator Lewis arose to a point of order, as follows:

I desire to make a point of order that the consideration of this resolution is out of order for the reasons:

First, That the two branches of the General Assembly, known as the Senate and the House, are independent of each other and that neither can question the acts of the other; that an officer and member of the House is answerable to and can be questioned for his official acts by the House only, which rule is violated in the preamble and fifth division of this resolution.

Second. That the information which this resolution seeks to have the Speaker of the House obtain from the Attorney-General, as stated in the first and second divisions of the resolution; are not subject to the opinion of the Attorney-General for the reason that the constitution and statutes places the sole power and authority to determine the selection and qualification of the Secretary of the Senate in the Senate itself, as well as the power of his removal and the election of another.

Third. That the *third* and *fourth* divisions of this resolution in seeking to question the jurisdiction and proceedings of our courts by the Senate is a violation of the constitutional rights and powers of the several divisions of our government, known as the legislative, judicial and executive branches of this government, which in their respective proceedings are independent, and not accountable to each other.

Fourth. That the information which this resolution seeks to have the Speaker of the House obtain from the Attorney-General, can be of no service to this Senate, for the reason that it provides no way by which the Senate may avail itself of such information when it may have been obtained by the Speaker of the House.

Pending discussion, the hour for adjournment having arrived, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 6, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. S. W. Louck, of Des Moines.

The journal for Thursday was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Kelly presented petition of H. C. Black and fourteen other merchants of Williamsburg, Iowa, asking for a change in exemption laws.

Referred to Committee on Judiciary.

Senator Bailey presented petition of C. C. Brown, S. A. Converse, G. R. Humphrey and fifty other citizens of Howard and Winneshiek counties asking revision of revenue laws; for Australian ballot law; election of United States Senators by direct vote of the people, and other measures.

Referred to Committee on Federal Relations.

Senator Bailey presented petition of W. K. Barker, John Steinman, A. H. Caward and forty-one other citizens of Winneshiek and Howard counties, asking passage of joint resolution for passage of Conger lard bill and option bill.

Referred to Committee on Federal Relations.

Senator Lewis presented petition of T. M. Stewart and fifteen other members of the bar of Lucas county, praying for the passage of a bill for the relief of the courts of the second judicial district by providing for the appointment of an additional judge by the Governor.

Referred to Committee on Judicial Districts.

Senator Gobble presented petition of citizens of Muscatine and Cedar counties, protesting against changes in the mode of assessing.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Perkins, Senate file No. 185, a bill for an act to protect the public from fraudulent pedigrees of live stock.

Read first and second times and referred to Committee on Agriculture.

By Senator Reiniger, by request, Senate file No. 186, a bill for an act to license and regulate the keeping of stallions for service.

Read first and second times and referred to Committee on Agriculture.

By Senator Reiniger, Senate file No. 187, a bill for an act to repeal section 4055 of the Code, and to make a substitute therefor relating to diseased cattle, hogs and sheep.

Read first and second times and referred to Committee on Agriculture.

By Senator Gatch, Senate file No. 188, a bill for an act to make appropriations for the girls' apartment of the Iowa Industrial School at Mitchellville, Iowa.

Read first and second times and referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 102, a bill for an act to repeal sections 4413 and 4414, of the Code, as amended by chapter 39, of the Twenty-second General Assembly, relating to pre-emptory challenges, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the bill be corrected by changing the word "pre-emptory" to "peremptory," wherever it occurs, and that the bill as corrected do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 116, a bill for an act to amend section 2619 of the Code with reference to publication of original notices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 94, a bill for an act to prohibit persons not members of secret societies from wearing badges or uniforms of such societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate file No. 75, a bill for an act to abolish the independent school district of East Cleveland, Lucas county, and to annex said territory to the district township of Whitebreast, report that they have amended the bill by adding a preamble after the title, and by adding to section 5 the words, "without expense to the State," and have instructed me to report the same back to the Senate with the recommendation that the bill as amended do pass.

L. R. BOLTER,
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 87, a bill for an act to provide for the collection by suit of taxes on personal property omitted from assessment in certain cases beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 127, a bill for an act to amend section 589 of the Code in relation to the election of county recorder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 51, a bill for an act to protect the breeders of trotting and pacing horses and fair associations of the State of Iowa, and find the same correctly engrossed.

L. W. LEWIS, *Chairman.*

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT:—Your Committee on Cities and Towns, to whom was referred Senate file No. 13, a bill for an act to apply the provisions of Chapter 58, Seventeenth General Assembly, and amendments thereto, to existing bonded indebtedness of counties, cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendment, and when so amended that it do pass: That the word "thereto," which occurs as the fourth word in the tenth line of section 1, be stricken out, and the word "thereof" inserted instead thereof.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 106, a bill for an act making appropriation for the use and benefit of the Iowa State Dairy Association, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows, strike out the word "one" in first line of section 1 and insert the word "two," and strike out the word "annually" in same line and section, and add at the end of section 1, as follows: "Provided, that not more than one-half of the money so appropriated shall be drawn during the year 1892, and the balance during the year 1893; but no money so appropriated shall be used in paying premiums or official salaries," and with these amendments would recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Kelly from the Committee on Penitentiaries and Pardons submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 55, a bill for an act to repeal sections 10, 11 and 12, chapter 165 of the acts of the Seventeenth General Assembly and to enact a substitute therefor, also to amend sections 9 and 13, chapter 165 of the acts of the Seventeenth General Assembly, in reference to capital punishment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate File No. 8, Joint Resolution to Senators and Representatives in Congress, requesting additional legislation in regard to the formation of trusts and combines, including the live stock combine at Chicago, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House concurrent resolution relative to options on the board of trade, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

T. B. PERRY, *Chairman*.

On motion of Senator Perry report of the committee was adopted and resolution was concurred in.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 139, a bill for an act to prevent the presence of Canada and prickly or bull thistles, providing punishment for violation, and to repeal sections 995 and 4062, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying Committee substitute bill, with the recommendation that, when so substituted, the bill do pass and 300 copies be printed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred Senate file No. 12, a bill for an act to amend chapter 34 of the acts of the Twenty-Third General Assembly of Iowa, relating to the protection and preservation of fish, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Yeomans from the Committee on Railways submitted the following report:

MR. PRESIDENT—Your Committee on Railways to whom was referred Senate file No. 66, a bill for an act to amend section 3894 of the Code of Iowa, relating to breaking and entering railroad cars, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out of said bill, all after enacting clause and up to the word "or" in the sixth line, and insert in lieu thereof, "Section 1. That section 3894 of the Code of Iowa be amended as follows: "Or if any person, for the purpose of being carried upon any railroad, without the consent of the railroad company operating the same, and with intent to avoid paying his fare, or, without such consent, for any other purpose, break and enter any railroad car, he shall be guilty of a misdemeanor and upon conviction pay a fine of not less than ten dollars nor more than one hundred dollars and be imprisoned in the county jail not more than ninety days and stand committed until fine and costs are paid." Also insert in the eleventh line, between the words "paid" and "this," "section two." And your Committee recommend that as so amended the bill do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Rich moved that three hundred copies of the committee substitute for Senate file No 12 be printed.

Carried.

BILLS ON THIRD READING.

Senator Parrott moved that the amendments to Senate file No. 106, reported by the committee, be concurred in.

The question now being upon the adoption of the amendments.

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Grone-
weg, Hager, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mc-
Call, Palmer, Parrott, Reiniger, Reynolds, Rich, Schmidt, Stewart,
Terry, Turner, Vale, Yeomans—35.

The nays were:

Senators Bolter and Perry.

Absent or not voting:

Senators Engle, Everall, Green, Harmon, Harsh, Mattoon, Mos-
nat, Oleson, Perkins, Shields, Smith of Butler, Smith of Wapello,
Smith of Wright—13.

So the amendments of the committee were concurred in.

Senator Parrott moved that the rule be suspended, and the bill be
considered engrossed and read a third time now, which motion pre-
vailed, and the bill was read a third time.

President *pro tem.*, Kelly, took the chair.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland,
Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Grone-
weg, Hager, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack,
McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt,
Terry, Turner, Vale, Yeomans—35.

The nays were:

Senators Bolter, Perry—2.

Absent or not voting:

Senators Engle, Everall, Green, Harmon, Harsh, Mattoon, Mosnat,
Oleson, Shields, Smith of Butler, Smith of Wapello, Smith of Wright,
Stewart—13.

So the bill passed and the title was agreed to.

On motion of Senator Yeomans Senate file No. 51, a bill for an act
to protect the breeders of trotting and pacing horses and fair associa-
tions of the State of Iowa, with report of committee recommending
that the bill do pass, was taken up, considered, and the report of the
committee was adopted.

Senator Yeomans moved that the rule be suspended, and the bill be
considered engrossed and read a third time now, which motion pre-
vailed, and the bill was read a third time.

On the question, "shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleve-

land, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Stewart, Terry, Turner, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Engle, Everall, Green, Harmon, Harsh, Mattoon, Mosnat, Oleson, Shields, Smith of Butler, Smith of Wapello, Smith of Wright—12.

So the bill passed and the title was agreed to.

On motion of Senator Vale Senate file No. 44, a bill for an act to amend section 3977 of the Code of Iowa, relative to malicious injury to stock, was taken up and considered.

Senator Vale moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Funk, Gatch, Gobble, Groneweg, Hager, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Stewart, Turner, Vale, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Engle, Everall, Finn, Gardiner, Green, Harmon, Harsh, Mattoon, Mosnat, Oleson, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry—17.

So the bill passed and the title was agreed to.

Senator Chantry, for the Conference Committee on Mail Carriers, submitted the following report:

MR. PRESIDENT--Your Conference Committee, appointed to confer with a like committee on the part of the House, on the disagreement of the Senate and House in the matter of the formation of a Joint Committee of the two Houses to select mail carrier for the Twenty-fourth General Assembly, would respectfully report that they have had the matter under consideration, jointly, with a like committee on the part of the House and that we have been unable to reach an agreement on the formation of a Joint Committee to select mail carrier for the General Assembly. All of which is respectfully submitted.

A. J. CHANTRY, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills:

A bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Also, a bill for an act to amend chapter 171, acts of the Nineteenth General Assembly.

Also, a bill for an act to legalize the incorporation of the town of Shelby, in Shelby county, Iowa, the election of its officers, all the acts done and the ordinances passed by the council of said town.

CHAS. BEVERLY, *Chief Clerk.*

PER D. SCOTT, *First Assistant.*

On motion of Senator Perry, Senate joint resolution No. 8 was taken up and considered.

Senator Perry moved that the rule be suspended, and the resolution be considered engrossed and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution be adopted?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Stewart, Terry, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Everall, Green, Harsh, Mack, Mattoon, Mosnat, Oleson, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Yeomans—15.

So the resolution passed and the title was agreed to.

President Bestow resumed the chair.

Senator Yeomans moved that 300 additional copies of Senate file No. 51 be printed.

Carried.

MESSAGE FROM THE GOVERNOR.

The Governor's private secretary appeared and delivered the following message:

STATE OF IOWA, EXECUTIVE OFFICE. }
DES MOINES, IOWA, February 6, 1892. }

MR. PRESIDENT:—I am directed by Governor Boies to transmit to your honorable body the report of the Board of Commissioners of the Iowa Soldiers' Monument.

CLIFFORD D. HAM, *Private Secretary.*

Passed on file.

Senator Finn moved that the Governor's communication and accompanying report be referred to the Committee on Military.

Senator Finn moved that Governor's message and report on commutations, pardons, etc., be referred to Committee on Penitentiary and Pardons.

Carried.

Senator Perry moved that three hundred copies of the report of the Commissioners on Iowa Soldiers' Monument be printed.

Carried.

Senator Gobble moved that the Senate do now adjourn until 10 o'clock A. M., Tuesday, February 9th.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Gatch, Hurst, Jamison, Palmer, Perry, Rich, Stewart—11.

The nays were:

Senators Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gobble, Hager, Jewett, Kelly, Lewis, Mack, McCall, Perkins, Reiniger, Reynolds, Schmidt, Turner, Vale, Yeomans—23.

Absent or not voting:

Senators Engle, Everall, Green, Groneweg, Harmon, Harsh, Kent, Mattoon, Mosnat, Oleson, Parrott, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry—16.

So the motion to adjourn was lost.

Senator Gobble explained his vote as follows:

It appeared to me that leave of absence having been granted to so many that it would be the same as on Monday last, when only seventeen senators were present. I made the motion to adjourn until ten A. M., Tuesday next, in order to see about how many would be present Monday; it now being evident to me there will be a quorum, and being opposed to unnecessary adjournment, I vote no.

J. M. GOBBLE, *Twentieth District.*

Senator Perry explained his vote as follows:

My reasons for voting aye are that so many members have been excused, there will be no quorum on Monday, as there was none last Monday.

T. B. PERRY.

The following Senators were granted leave of absence: Senators Perry, until Monday; Palmer, until Tuesday; Harmon, Everall, until Tuesday.

The following pairs were announced:

Senators Perry and Palmer, until Tuesday P. M.; Jamison and Yeomans, until Tuesday P. M.; Everall and Harmon, until Tuesday P. M.; Green with Funk, until Tuesday; Conaway with Smith of Wapello, until Tuesday P. M.; Bailey with Mattoon, until Tuesday.

Senate adjourned until Monday at 10 A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, Feb. 8, 1892. }

Senate met in regular session at ten o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black, of Des Moines.

PETITIONS AND MEMORIALS.

Senator Dodge presented petition of Wm. Seiger and others requesting no change in exemption laws.

Referred to Committee on Judiciary.

Senator Dodge presented remonstrance of the Hall of Union No. 68, Carpenters and Joiners of America.

Referred to Committee on Labor.

Senator Dodge presented remonstrance of Sanctuary of L. A. No. 2219, K. of L., against a change in the exemption laws.

Referred to Committee on Labor.

Senator Turner presented petition of citizens of Mahaska county, in regard to building cottages at Soldiers' Home. Read first and second times and withdrawn by consent of Senate.

Referred to Committee on Military.

Senator Bishop presented petition of Womens' Christian Temperance Union, recommending the establishment of a reformatory prison for women.

Referred to Committee on Penitentiaries and Pardons.

Senator Gobble presented petition of citizens of Muscatine county, asking for change in revenue laws.

Referred to Committee on Ways and Means.

Senator Dodge presented petition of local union No. 68, in regard to registration of trade marks and labels.

Referred to Committee on Labor.

Senator Dodge presented resolution of K. of L. Lodge, No. 2219, endorsing the bill for the establishment of a free employment office

Referred to Committee on Labor.

Senator Gobble presented petition of citizens of Muscatine county, in favor of "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Terry, by request, Senate file No. 189, a bill for an act to amend section 4299, of chapter 2, of title 18, of the Code of Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Vale, by request, Senate file No. 190, a bill for an act to discourage incendiarism, prevent speculation, save property for taxation, and to define the companies—certain cases.

Read first and second times and referred to the Committee on Insurance.

By Senator Yeomans, Senate file No. 191, a bill for an act to amend section 1 of an act entitled "an act creating in all cities of the first-class, having a population according to any legally authorized census, of more than 30,000 inhabitants, a board of public works, and defining the powers and duties of its members."

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Funk, Senate file No. 192, a bill for an act making appropriation for the state fish commission.

Read first and second times and referred to the Committee on Appropriations.

By Senator Smith, of Wapello, Senate file No. 193, a bill for an act to reorganize the congressional districts of the state of Iowa.

Read first and second times and referred to the Committee on Congressional and Judicial Districts.

By Senator Gatch, Senate file No. 194, a bill for an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties.

Read first and second times and referred to the Committee on Cities and Towns.

Senator Hager introduced the following concurrent resolution, and asked that it be referred to the Committee on Penitentiaries and Pardons.

Resolved by the Senate, the House concurring, That the Governor is hereby recommended to grant a pardon to Charles Cook, now confined in the penitentiary at Fort Madison, Iowa, under a life sentence; the application for pardon of the said Charles Cook having been referred by the governor to this assembly.

Referred to the Committee on Penitentiaries and Pardons.

Senator Hager called up House message relative to the selection of a mail carrier, and moved to substitute the name of J. H. Weaver in the House joint resolution in place of F. Barnett, as mail carrier.

The question now being upon the adoption of the amendment.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Jamison, Jewett, Lewis, Mack, Perkins, Reiniger, Reynolds, Turner, Vale—17.

The nays were:

Senators Bailey, Bishop, Bolter, Cleveland, Dent, Dodge, Gardiner, Gobble, Green, Hurst, Kelly, Mosnat, Rich, Schmidt, Stewart, Terry, Yeomans, Mr. President—18.

Absent or not voting:

Senators Engle, Everall, Groneweg, Harmon, Harsh, Kent, McCall, Mattoon, Oleson, Palmer, Parrott, Perry, Shields, Smith of Butler, Smith of Wapello, Smith of Wright—16.

So the amendment was lost.

Senator Gatch moved to substitute the name of R. C. Hubbard for that of F. Barnett, for mail carrier, provided the amount to be paid said mail carrier per day, does not exceed \$2.00.

The question being upon the adoption of the amendment.

Carried.

The question now being "shall the Senate concur in the resolution?"

The Senate concurred.

The president called Senator Cleveland to the chair.

REPORTS OF STANDING COMMITTEES.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 83, a bill for an act amending section one (1), of chapter seventeen (17), of the laws of the Twenty-second General Assembly, relating to funding outstanding indebtedness of cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendments, and when so amended that it do pass:

That the word "dollars" be inserted after the word "thousand," which occurs as the third word in the twenty-first line of section one (1).

That the word "an," which occurs as the first word in the thirtieth line of section one (1), be stricken out, and the words "a rate of," be inserted in place thereof.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Kelley introduced the following communication, which was read and passed on file:

OFFICE OF THE PRESIDENT,)
 STATE UNIVERSITY OF IOWA,)
 IOWA CITY, IOWA, February 6, 1892.)

To the Honorable, the Members of the Twenty-fourth General Assembly:

GENTLEMEN: In behalf of the regents and faculty of the State University, I have the honor to invite you to visit the University at your earliest convenience. By the courtesy of the Rock Island railway company, I am authorized to state that a special train will be placed at your disposal, to take you to Iowa City and return you to the Capital, at such hours as may be convenient to your honorable body.

Very respectfully,

CHARLES A. SCHAEFFER,

President.

Senator Brower introduced the following resolution, which went over until to-morrow:

Resolved, by the Senate, the House concurring, That the invitation by the president in behalf of the board of regents and faculty of the State university, to visit that institution as a body be accepted, and that a committee of three from the Senate and a like number from the House be appointed to fix the time and date which shall be given in acceptance of this invitation.

BILLS ON THIRD READING.

On motion of Senator Jamison Senate file No. 123, a bill for an act to legalize the action of school board of the district township of Ward, in Ward township, Clarke county, Iowa, in a certain case, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Jamison moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Finn, Funk, Gardner, Gatch, Gobble, Green, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Perkins, Reiniger, Reynolds, Schmidt, Smith of Wapello, Terry, Turner. Vale, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Dent, Engle, Everall, Groneweg, Hager, Harmon, Kent, McCall, Mattoon, Oleson, Palmer, Parrott, Perry, Rich, Shields, Smith of Butler, Smith of Wright, Stewart—17.

So the bill passed and the title was agreed to.

On motion of Senator Hager, Senate file No. 27, a bill for an act to

amend sections 2 and 3 of chapter 22 of the acts of the Eighteenth General Assembly in reference to reports made by clerk of court to Secretary of State, and county auditor to clerk, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Vale, Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected three years, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Vale moved that the rule be suspended, and the bill be engrossed and read a third time to-morrow, which motion prevailed.

Senator Funk asked unanimous consent to have Senate file No. 124 retain its place upon the Calendar, which request was granted.

Senator Reiniger moved that we now proceed to the consideration of bills recommended for indefinite postponement, provided the author of the bill or Senator having it in charge be present.

The motion prevailed.

Senator Schmidt moved that further consideration of Senate file No. 110, a bill for an act to render privileged confidential communications to editors, publishers and reporters of newspapers, be passed.

Carried.

Senator Yeomans moved that the report of the committee on Senate file No. 52, a bill for an act to protect associations and unions of workingmen and persons in their labels, trade-marks and forms of advertising, be adopted and the bill be indefinitely postponed.

Carried.

Senator Yeomans moved that the report of the committee on Senate file No. 114, a bill for an act to protect associations and unions of workingmen and persons in their labels, trade-marks and forms of advertising, be adopted, and that the bill be indefinitely postponed.

Carried.

Senator Perkins moved that the report of the Committee on Senate file No. 94, a bill for an act prohibiting persons not members of secret or other organizations, from wearing the badge or uniforms of such orders or organizations, and prescribing penalties for the violations of the provisions thereof, be adopted, and that the bill be indefinitely postponed.

Carried.

Senator Bailey moved that the report of the committee on Senate file No. 12, a bill for an act to amend chapter 34, of the Twenty-third General Assembly of Iowa, relating to the protection and preservation of fish, be concurred in, and that the bill be indefinitely postponed.

Carried.

Senator Gatch moved that the report of the committee on Senate file No. 87, a bill for an act to provide for the collection by suit, of taxes on personal property omitted from assessment in certain cases be taken up and the bill recommitted to the Committee on Ways and Means.

Carried.

On motion, the report of the committee on Senate file No. 58, a bill for an act to apply provisions of chapter 58, Seventeenth General Assembly and amendments thereto, to existing bonded indebtedness of counties, cities and towns recommending that the bill be indefinitely postponed, was adopted.

On motion, the report of the committee on Senate file No. 103, a bill for an act to settle differences between parties by arbitration, recommending indefinite postponement, was adopted.

The journal of yesterday was read, corrected and approved.

The senate adjourned until 10 o'clock A. M. Tuesday, February 9, 1892.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 9, 1892. }

Senate met in regular session, at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. Joseph Boyd, of Des Moines, Iowa.

Senator Bolter introduced the following resolution, and moved its adoption:

Resolved, That the Pioneer Law Makers' Association of Iowa, to meet in this city to-morrow, be most respectfully requested and invited to visit the Senate on that date at 3 o'clock P. M., and that a committee of three be appointed to communicate this invitation and make all necessary arrangements therefor.

Adopted.

PETITIONS AND MEMORIALS.

Senator Brower presented petition of H. F. W. Shaeffer and other citizens of Britt, Hancock county, Iowa, asking for relief from exemption laws, etc.

Referred to Committee on Judiciary.

Senator Jamison presented petition of James Randolph Post, No. 116, G. A. R., relative to Iowa Soldiers' Home, at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Jamison presented resolution of the members of Company D., of Iowa National Guard, relative to a bill now before the Senate to amend the Military Code, and increase the efficiency of the Iowa National Guard.

Referred to Committee on Military.

Senator Dodge presented remonstrance of citizens of Des Moines and elsewhere against any change in the exemption laws.

Referred to Committee on Judiciary.

Senator Dodge presented four remonstrances against any change in the exemption laws of the State, containing 135 names of merchants and others.

Referred to Committee on Judiciary.

Senator Kelly presented petition of the pharmacists of Marengo, Iowa county, protesting against the passage of Senate file No. 53.

Referred to Committee on Pharmacy.

Senator Dodge presented protest of citizens of Des Moines county against change in liquor laws.

Referred to Committee on Suppression of Intemperance.

Senator Hager presented petition of citizens of Ft. Madison for pardon of Chas. Cook.

Referred to Committee on Penitentiaries and Pardons.

Senator Hager presented petition for asking the pardon of Chas. Cook.

Referred to Committee on Penitentiaries and Pardons.

Senator Stewart presented petition of citizens of Poweshiek county, asking for change in the manner of electing United States Senators.

Referred to Committee on Ways and Means.

Senator Stewart presented petition of citizens of Poweshiek county, asking for change in relation to compound lard.

Referred to Committee on Federal Relations.

Senator Dodge presented petition of members of Typographical Union No. 118, of Des Moines, asking the establishment of a free labor bureau.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Funk, Senate file No. 195, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Gatch, Senate file No. 196, a bill for an act to amend sections 14 and 16, of chapter 168, acts of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Gobble, Senate file No. 197, a bill for an act to amend chapter 59, of the Seventeenth General Assembly, relative to the taxation of telegraph and telephone lines, and to empower cities and towns to levy a special tax by ordinance.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Gobble, Senate file No. 198, a bill for an act to fix a maximum rental and charges for the use of telephones, and fixing a penalty for its violation.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Gobble, Senate file No. 199, a bill for an act to amend

section 853, chapter 1, title 6 of the Code, relating to the lien of taxes between the vendor and the vendee.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Oleson, Senate file No. 200, a bill for an act to amend section 1 of chapter 63 of the acts of the Twenty-first General Assembly, as amended by chapter 108 of the acts of the Twenty-second General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes.

Read first and second times and referred to Committee on Fish and Game.

By Senator Dodge, Senate file No. 201, a bill for an act to amend section 1, chapter 194 of the acts of the Twentieth General Assembly, relative to providing for semi-annual collection of taxes.

Read first and second times and referred to Committee on Ways and Means.

Senator Parrott introduced the following resolution and moved its adoption:

Resolved, That the Committee on Penitentiaries and Pardons is hereby instructed to confer with the Governor in relation to existing contracts for the labor of convicts at Fort Madison penitentiary, ascertaining the date of expiration of said contracts, the terms on which such contracts are made, with such further information as may appear desirable; reporting their findings at as early a day as possible.

Adopted.

Senator Reiniger introduced the following:

JOINT RESOLUTION NO. 13.

Be it resolved by the General Assembly of the State of Iowa: That the sum appropriated to the State of Iowa by the act of Congress, approved March 2, 1891, and entitled, "An act to credit and pay to the several States and Territories, and the District of Columbia, all moneys collected under the direct war tax levied by act of Congress, approved August 5, 1861," be and the same is hereby accepted upon the trusts and conditions imposed by section 3 of said act; that the Governor is hereby authorized and directed to receive said appropriation, and to place the same into the treasury of the State, for the purposes specified in said act, taking duplicate receipts for the same, one of which shall be filed with the Auditor of State

Read first and second times and referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed House file No. 69, in which the concurrence of the Senate is asked:

A bill for an act legalizing the acts of the incorporated town of Greene, Butler county, Iowa.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, *First Assistant Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator T. B. Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom were referred sundry petitions requesting additional legislation by Congress concerning "compound lard," as it is called, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate the following joint resolution and memorial to Congress and recommend that it do pass:

JOINT RESOLUTION 14.

Joint resolution and memorial to Congress, relating to compound lard:

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be and are hereby requested to use their best efforts to secure the passage of a law to prevent the manufacture and sale of "compound lard," as it is called, unless the same be so labeled and branded as to expose its true composition and distinguish it from genuine lard.

T. B. PERRY, *Chairman.*

Ordered passed on file.

On motion of Senator Perry, the foregoing joint resolution, No. 14, a joint resolution and memorial to Congress relative to compound lard with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perry moved that the rule be suspended, and the resolution be considered engrossed and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question, "Shall the resolution pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Bolter, Engle, Gatch, Shields—4.

So the joint resolution passed and the title was agreed to.

Senator Bolter asked unanimous consent to the Senate to have Senate file No. 27 re-committed to the Committee on Judiciary.

Consent was granted and the bill was re-committed.

Senator Perry called up his resolution relative to the Speaker of the House of Representatives, Attorney-General of the State, and the Secretary of Senate.

Senator Mack raised the following points of order :

MR. PRESIDENT — I desire to raise the following points of order, objecting to the further consideration of the resolutions offered by the Senator from Monroe, and now under consideration, and desire to have the ruling of the chair thereon:

First. Under the section of the statute which it is sought by these resolutions to compel the Speaker to make a certificate, the law does not require the Speaker to make but one certificate of the election of the officers and employes of the Senate, or to join therein, and that certificate has already been made and filed with the Auditor of State, in full compliance with the statutory provision relating thereto.

Second. The section of the statute requiring the Speaker to sign a joint certificate containing the names of the officers and employes of the Senate, requires only that it should be done within thirty days from the date of the convening of the Legislature, which thirty days has not yet expired, and there is nothing officially before the Senate to show that he has not and will not, during the time allotted to him by law, make and sign such joint certificate.

Third. There is nothing in the law of Iowa requiring the Attorney-General to answer questions propounded to him by the Speaker of the House, and this Senate has a plain, adequate and speedy remedy by making the request of the Attorney-General, the statute providing in plain terms that he shall answer questions propounded to him by the Senate.

Fourth. It is a matter of general knowledge among the members of the Senate that the Speaker has been enjoined in an action in a court of record of this State, from signing the certificate which it is sought by these resolutions to compel him to sign, and that he could not sign the same at this time without subjecting himself to the penalties of the law, for contempt of court, until the dissolution thereof, and no attempt has been made to secure such dissolution by the party who claims to be most interested therein, nor by his pretended friends, who support this resolution. It has for years been the acknowledged policy of this Senate not to interfere in matters that are in process of litigation in the courts of the State, and it should not now change such policy in the interests of a political party or its individual members in the Senate, to aid them out of the dilemma they have gotten themselves into.

Senator Lewis called for the decision of the Chair on the points of order raised by him (Lewis) to the resolution of Senator Perry, on Friday last.

The President submitted the following decision.

In passing upon the points of order made by the Senator of Wayne, the Chair decides that they are not well taken.

Without going into an elaborate discussion of the questions raised, it may not be out of place for the Chair to briefly summarize the reasons which have led him to this conclusion.

First—It is conceded that the two branches of the General Assembly are separate and independent of each other, and no act of either can be questioned by the other. But it does not appear to the mind of the Chair that the resolution offered by the Senator from Monroe is calculated or intended to reflect upon, or question the motives which have prompted the action of the gentleman in high official station to whom it was directed. The language of the resolution appears to the Chair

to be courteous and respectful, and its whole purport appears to be to devise some way to amicably settle the unfortunate circumstances which have arisen over the Senate's action in relation to the election of secretary.

Second. The second point of order raised by the Senator from Wayne, to-wit: "That the information which this resolution seeks to have the Speaker of the House obtain from the Attorney-General * * * is not subject to the opinion of the Attorney-General," is not, in the opinion of the Chair, within his province to decide. The Attorney-general should be the judge of that matter when his attention is officially called to it. If it is not clearly made his duty by the statutes, it does not follow that either branch of the General Assembly, or its presiding officer, is debarred from consulting him on questions concerning their powers and duties; nor need it be inferred that the information asked for will be withheld simply because the statute is not mandatory in that respect. If the rule laid down by the Senator from Wayne in his second point of order were to be strictly followed, the usefulness of the Attorney-General to the people of Iowa and their representatives would be curtailed to narrow limits. The Chair concedes that "The sole power and authority to determine the election and qualification of the Secretary of the Senate, as well as the power of his removal, and the election of another," rests with the Senate itself. Is it not more probable, therefore, that when this power is questioned, as it has been in this instance, by a high official functionary of a separate and distinct body, that the independence, not of a single member of the Legislature, but of the entire Senate, has been challenged?

Third. The third point of order is overruled, for the reason that, in the opinion of the Chair, an application to the Attorney-General, or an opinion upon the question of law or fact, cannot be construed as questioning the jurisdiction and proceedings of our courts by the Senate. It is clearly the purport of the third and fourth divisions of the resolution offered by the Senator from Monroe, to obtain information from the Attorney-General upon this pending matter. There seems to be no attempt therein to influence the courts, or to trespass upon the rights of the judiciary. It is well understood that the case now at bar, affecting the chief officer of the Senate, bears all the evidences of collusion between individuals entirely outside of the judiciary and members of the legislative body for the purpose of defrauding that officer out of the salary to which the law entitles him. That this state of affairs exists is no fault of the court before which it is pending, and that that tribunal will finally correct this injustice, there is no doubt. The object of divisions three and four of this resolution, as the Chair understands them, is to obtain all the information possible, and without delay, concerning the party, chief in interest, for the guidance of those whose duty it is to pass upon the question before it can be adjudicated.

Fourth. The fourth point of order is overruled for the reason that the Chair does not believe it is within his province to decide what matters will be of service to the Senate. Rules are prescribed for the conduct of the Senate's business, and these the Chair will always attempt to enforce; but he does not feel that he is authorized to pass judgment upon the merits of any measure that is introduced, or to determine whether such measures are calculated to accomplish the object its authors may have had in view.

S. L. BESTOW,

President of the Senate.

Senator Lewis appealed from the decision of the Chair made upon his (Lewis) first point of order.

The question now being, "Shall the decision of the Chair stand?"

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Absent or not voting:

Senators Engle, Gatch—2.

So the decision of the Chair was sustained.

The question now being "Shall the decision of the Chair be sustained upon the third and fourth points raised by Senator Lewis?" The yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

Absent or not voting:

Senators Brower, Engle, Gatch—3.

So the decision of the Chair was sustained.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed House file No. 46, in which the concurrence of the Senate is asked:

A bill for an act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce secrecy of the ballot.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, Assistant Clerk.

By unanimous consent Senator Dodge moved that when the Senate adjourn that it do adjourn to meet at 3 o'clock P. M.

Carried.

Senator Reiniger appealed from the whole ruling of the Chair.

The question being, "Shall the decision of the Chair be sustained on all the points of order raised?" The yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—23.

Absent or not voting:

Senators Engle, Gatch—2

So the ruling of the Chair was sustained.

The question now being on the resolution offered by Senator Perry on February 3rd, 1892.

Senator Lewis moved to strike out the preamble to the resolution.

Senate adjourned until 3 p. m.

IN MEMORIAM

OF

HON. P. G. BALLINGALL,

LATE SENATOR, 13th DISTRICT.

WHO DIED ON BOARD SHIP,

NEAR HONG KONG, CHINA,

MARCH 7, 1891.

—

THE RESOLUTIONS ADOPTED, AND THE SPEECHES MADE,

BY HIS COLLEAGUES,

FEBRUARY 9, 1892.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 3 o'clock p. m., President Bestow presiding.

The special order for the hour being the resolutions relative to the death of Senator P. G. Ballingall, a member of the Senate of the Twenty-third General Assembly.

On motion of Senator Dodge the following resolutions were read:

On March 7, 1891, Senator P. G. Ballingall, a member of the Senate of the Twenty-third General Assembly, died while on an ocean voyage, near the port of Hong Kong, on his second trip around the world.

On April 14th he was buried at his home in Ottumwa, Iowa. As a mark of respect to the distinguished dead, Governor Roies and staff, Lieutenant Governor Poyneer and thirty two members of the Senate of the Twenty-third General Assembly attended his funeral. On this day of April 14, 1891, Lieutenant Governor Poyneer called a meeting at the Ballingall House in Ottumwa of the Senators in attendance, to take appropriate action on the death of Senator Ballingall. It was resolved at this meeting that resolutions be prepared by a special committee, consisting of Senators Dodge, Gatch, Cleveland, Perkins and Vale. These resolutions were to be presented at the session of the Twenty-fourth General Assembly, and entered in the journal of that body. Therefore, in mournful obedience, the committee submit the following resolutions:

WHEREAS, On March 7, 1891, Hon. Peter G. Ballingall, a member of the Twenty-third General Assembly, died at sea near the port of Hong Kong, while on his second trip around the world, and was buried at his home in Ottumwa, Iowa, on April 14, 1891;

Resolved, That in the death of Senator Ballingall we mourn the loss of an able, conscientious member of the Legislature of Iowa; a true and tried tribune of the people; one devoted to the best interests, not only of his constituents, but of the people, whom he served with such signal ability on the floor of this Senate. We remember the timely qualities of his generous heart, the noble attributes of his manhood, and shall ever cherish with fond and sincere recollection our departed colleague, friend and brother.

Resolved, That these resolutions be entered on the journal of this Senate.

W. W. DODGE,

C. H. GATCH,

W. F. CLEVELAND,

GEORGE W. PERKINS.

B. R. VALE,

Committee.

In moving the adoption of the resolutions,

SENATOR W. W. DODGE,

Of the Ninth district, spoke as follows:

MR. PRESIDENT—It is a sad and melancholy pleasure for me to move the adoption of the resolutions submitted relative to the late Senator Ballingall.

His untimely passing away was a sudden and severe shock to me. I knew him well in the private walks of life, and sincerely treasured his loyal friendship. Though younger in years, I often came in contact with him. We were colleagues in the Twenty-third General Assembly, and, being of the same political party, we met at State conventions, public gatherings, and in a social way. It was thus that, in frequent touch with him, I learned to know the splendid, generous and noble attributes that made up his complete manhood. Who that knew him can ever forget his frank and charming manner; his cordial and heartfelt greeting; his pleasant smile, and earnest effort to evidence his friendly regard.

The hour that the dark angel pulled the curtain aside, which divides time from eternity, and the brother for whom we mourn stepped behind, the melancholy thought came to all who knew him that "we shall not look upon his like again."

It is not my purpose to give a biographical sketch of the life and character of the departed one, for I realize that the able Senator who is his successor on this floor will do so in a comprehensive and deservedly just manner.

Col. Ballingall died at sea, on March 7, 1891, near the port of Hong Kong, on the far-away shores of the Flowery Kingdom. He was on his second trip around the world, and notwithstanding he was in the full vigor of manhood, his intellectual faculties unimpaired by advancing years, still, with but little warning, the ship that bore him on the azure deep was wafted by a gentle breeze into the impenetrable shadow that pitilessly crosses life's pathway, and his soul, freed from its earthly bars, took its flight to that undiscovered bourne beyond the stars.

The American Consul at Hong Kong cabled the sad tidings to a loving sister at home, who in turn sought the aid of the electric sublety and arrangements were soon made for the confined voyage of the absent one.

On April 14th, 1891, after solemn and impressive ceremonies were held over the remains of the late Senator Ballingall in the Coal Palace at Ottumwa, tenderly they bore him to the silent city, and the hands of affectionate friends covered our sleeping brother with a perfumed mantel of beautiful flowers.

As I stood by his mound, enveloped in the sweet scented breath of those fragrant flowers, while mournful music played a solemn, sorrowful farewell, these lines of the inspired poet came to my mind:

"Life, I know not what thou art,
But know that thou and I must part;
And when, or how, or where we met,
I own to me's a secret yet.
Life, we have been long together,
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear,
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning—
Choose thine own time;
Say not 'Good night,' but in some brighter clime
Bid me 'Good morning.' "

Mr. President, with a heart weighted with poignant grief, I move the adoption of the resolutions.

SENATOR J. J. SMITH,

of the Thirteenth district, seconded the motion of Senator Dodge, for the adoption of the resolution and spoke as follows:

MR. PRESIDENT—I desire to second the adoption of this resolution.

It was my privilege for many years to be intimately acquainted with Senator Ballingall, and during all the time we were warm personal friends. Therefore, with a personal knowledge of his true worth and character I will undertake, at this time, to pay an humble tribute to his memory. Senator Ballingall was in the fullest sense of the term, a self-made man. He justly earned and held a proud position in the public mind and his name was known and honored by many thousands of his fellow men.

On the 3rd of March, 1830, he was born in Glasgow, Scotland, and at the age of seven years came with his parents to this country. Before he was eleven years old he entered upon the hard struggle of life, earning his first money by selling matches. Afterwards he was employed in different hotels in Chicago, and to this calling he proved himself peculiarly adapted. His first management of a hotel was as receiver of the Lake House in Chicago. After satisfactorily discharging the duties of this position he was successively proprietor of the Briggs House in Chicago; the Haskel House in Galesburg, Illinois; manager of the Ivans House in Keokuk, Iowa; proprietor of the Ashland House in Bentonsport; the Revere House in Agency City; the Ballingall Hotel and Depot Hotel in Ottumwa. After his removal to Ottumwa, which was in 1858, he engaged in various lines of business in connection with his hotel operations, all of which he made successful.

Senator Ballingall was a man of great energy of character and determination of purpose. He formed his business plans with care, with accuracy and skill, and built thereon with perseverance and courage which never permitted the thought of failure to interfere.

In politics he was always a firm believer in and advocate of the principles of the Democratic party. But, although strong and uncompromising in his political opinion, he had no political hate, no political acrimony. He was kind and just alike to friend and foe. For several years he was a member of the Democratic State Central Committee, working earnestly for party success. For a long time he was a member of the Council of his city, ably representing and advancing its interests and originating many of its improvements. He represented his county in the House of Representatives of the Twentieth General Assembly and in the Senate of the Twenty-third. He was honored by the appointment as major of the Fifth regiment of the Iowa militia, and afterward by being made major-general. He served for some time as President of the Hotel Keeper's Association and also in other positions of trust and honor, all of which he filled with credit to himself and satisfaction to those by whom he was chosen. In all his various relations in life, he was upright and honest, true to every promise, faithful to every trust.

Perhaps no citizen of our state was more generally known and respected than Hon. P. G. Ballingall, and yet I undertake to say that many did not fully appreciate his sterling worth and nobility of character. He lacked in public speech coherency and clearness of expression and hence was often misunderstood and misrepresented. Always sensitive, he keenly felt the blows and stabs of unjust

criticism; yet he acted without fear and pursued his course without complaint. The people of his own city esteemed him most because they knew him best. There, for more than thirty years he was the leading spirit in every public enterprise. But aside from this his generous acts of benevolence had taken a deep hold upon the masses and greatly endeared him to all. While he was engaged in his legislative work in the last Senate a movement was started looking towards the building of a coal palace in Ottumwa. But, at the very threshold of this undertaking its originators became discouraged at what seemed to them the hopelessness of executing such a task. There was one, however, to whom all eyes turned, and whose inspiring leadership was necessary for success. This one was Senator Ballingall, and he found time to render the required influence which insured the completion of the work. By contributing largely of his own means he furnished the example which others quickly followed. And, when his legislative duties were ended he gave his time to organization, and preparing for and carrying on this great exposition, which was the crowning glory of his life. Upon the close of its first session, which was attendant with the most satisfactory results, he departed on a visit to foreign lands, which, unfortunately, proved to be his last journey. The sad tidings of his death reached our city on the 11th day of last March, filling every heart with genuine sorrow and causing all to feel the loss of a public leader and private benefactor. The day of his funeral was the most solemn Ottumwa ever knew. Business was suspended and manifestations of sorrow were everywhere visible.

The imposing funeral ceremony held in the Palace which his genius and untiring industry had erected; the presence of the Governor and staff; also his colleagues in the Senate; the many prominent citizens from all parts of the state; the large concourse of people of all classes, all formed a more effective tribute than words could describe.

Perhaps one of his last business transactions before leaving home upon that fatal journey, was the making of his will, by which he disposed of the largest amount of his valuable estate to the city of Ottumwa to be held in trust for charitable, religious and public uses. It was his last act of benevolence and was in accord with the course and conduct of his useful life.

To the end he worked and labored for the public good; his every thought and purpose were for the welfare of his fellowmen, and he left a memory which will long be cherished in hearts that knew his work and worth.

SENATOR N. V. BROWER,

of the Forty-third district, made the following remarks:

MR. PRESIDENT—At this time, set apart, that we who knew him best, as a member of this body, may pay a brief tribute to the memory of the late Senator Ballingall, I desire to add my part to the expressions of sorrow, to the tributes of praise that are due to the memory of a good man, a faithful public servant gone to his final rest. Long before he became the Senator from his district in this body, I knew him. I knew him as a prominent and leading citizen of his part of the State. I knew him as a public-spirited citizen, who, having won a competence for himself, had helped the city of his home in doing it; had helped others with kindly hand, from time to time, along the rugged pathway, and had made a mark as citizen, friend and public benefactor, given to but few in our noble Iowa to attain.

During his brief but highly honorable career in this Senate, it was my fortune to be associated closely with him in the work of one of the leading committees, and

in other lines of work we were often closely associated. We differed widely in many things, but my contact with him was such as to impress upon me that he was a thoroughly earnest, able, conscientious and efficient public servant, desiring above all things that his work here should redound, not so much to the present or future good of Peter Ballingall, as to the present and future good of the State of Iowa. In the committee he was careful, regular in attendance, painstaking and exceedingly fair in his judgment, bringing to the duties there a mind well trained and well balanced in the practical affairs of life, with which he was well equipped for the duties before him and he did not shirk either duty or responsibility. He did not occupy much time on the floor or pretend to have the graces of oratory, but he was, nevertheless, a most valued and useful member of this Senate, pleasant, affable alike to all. He has answered the final summons, after a life of great activity and usefulness; after a life that was given to others more than to himself, and he has left behind him in his public efforts more than one evidence that that life was useful to the State and to his fellow men. Good bye to the big hearted citizen, the true hearted friend, the able and conscientious Senator.

SENATOR W. F. CLEVELAND,

of the Eighteenth district, spoke as follows:

MR. PRESIDENT—After listening to the tribute of respect so eloquently tendered to the memory of Senator Peter Ballingall, by the several Senators who have preceded me, and who have so touchingly voiced the sentiments of every member of this Senate who enjoyed a personal acquaintance with our deceased colleague, I realize that nothing I could say would add to the high esteem and regard in which he was held throughout the State.

My personal acquaintance with Senator Ballingall extended over a period of several years. Knowing him as so many others knew him, in a general way, but coming into the Senate of the Twenty-third General Assembly together, and taking our seats as members of this honorable body, we were thrown much together, especially in committee work, it was there that we became more intimately acquainted.

And as our acquaintance developed into a warm friendship, I learned to admire him for his many virtues, his amiable disposition, his clear discernment between right and wrong, his sterling integrity and the many admirable traits of character that endeared him to all who knew him.

He was indeed a self-made man and had learned early in life the lesson of self-reliance, which served him well in all the affairs of life. Possessed of untiring energy, he was ever engaged in deeds of kindness to those who were less fortunate in buffeting with the vicissitudes of life.

Were I possessed of the eloquence of some, I might attempt to weave a chaplet of everlasting green to his memory that might appropriately testify our high appreciation of him as a true friend, a model citizen and a man whose many noble traits of character we might well endeavor to emulate and the influence for good that he exerted over all who came within the charmed circle of his acquaintance, makes us realize that the world is benefited by the lives of such men, and when they pass over the river—to the far beyond, that society has met with an irreparable loss, and the beautiful thoughts of a distinguished orator suggest themselves—"if each of those who had been the recipients of kind favors at his hands, were to drop a single bud upon his grave, he would now be sleeping beneath a mountain of roses."

SENATOR GEORGE W. PERKINS,

of the Seventh district, addressed the Senate as follows:

MR. PRESIDENT—Were I to attempt to add to the already elaborate eulogies a single laurel to the memory of our late distinguished colleague in the Twenty-third General Assembly, it would be only this sentiment.

Wishing that, as one by one our sun of life passes down behind the dark, cold western ridge, separating "Time" from the eternal hereafter, that the fading halo and lingering twilight may be to those we leave, as rich a blessing and as comforting an assurance as the fading twilight of the lamented Senator Ballingall has been, and will long continue to be, to the host of friends who remember his noble life and worthy deeds.

SENATOR C. H. GATCH,

Of the thirtieth district addressed the Senate in the following language:

MR. PRESIDENT:—It is always a pleasant but sad duty to pay respect to the memory of departed friends. There is a pleasure in recalling the virtues of one whom we esteemed while living touched with a feeling of sadness that we can no longer enjoy his companionship, and if there is anything earthly of which one dying can have concern, it seems to me it must be the desire that though dead he may still live in the deserved esteem of those who best knew and most loved him. If such was the desire of the departed friend to commemorate whose virtues this hour has been set apart, it was not a vain one, but is being happily realized in these commemorative proceedings by us, a part of his large circle of surviving friends, and may we not hope by him also in a more blissful abode.

The message that brought the tidings of the death of the late Senator Ballingall was a cruel one, not only to his brother Senators, but to many others in Iowa, for his warm, generous and impulsive heart had won many others to him. While my acquaintance with him had only been casual and limited until we met as members of the last Senate, since then it has been such that in his death I felt the loss of a personal friend. On only casual acquaintance, he was to me always a genial and attractive gentleman. More intimate acquaintance and nearer relations more than justified my first impressions. Few men in Iowa were better known or more generally respected and esteemed. In the Senate, so far as I know, and I think there was no exception, he had the cordial good will of every one of his brother Senators. In his public and official, no less than his private character and relations, he was always courteous, and, so far as official obligations and duties would permit, obliging to every one.

Though a pronounced partisan in politics, he was too broad and liberal to be influenced by party views in other than strictly political matters and relations, and he could always be depended upon to go as far as a liberal view of his party loyalty would permit to help his friends of opposite politics. He was attentive to his public duties and conscientious in the discharge of them. He grasped questions quickly, and was always ready for roll-call. Accustomed to promptness and dispatch in his private business transactions, he sometimes manifested impatience at what seemed to him unnecessary debate and the slow-going methods of legislation. He was sympathetic and impulsive, and if he had faults, they pretty certainly "leaned to virtue's side," his "heart" being not "always," as was said of Goldsmith, but sometimes "where his head ought to be." Kind and considerate of the feelings of

others, he was sensitive, possibly to a fault, of what he felt to be unjust criticism of himself.

He was very fond of travel and adventure. I remember well the enthusiasm with which he heard and afterwards spoke of the lectures of Mr. Kennan, in this city, on his travels and experiences in Siberia, and the pleasure with which he contemplated his own tour of travel, of the sad and untimely end of which we are here to-day again reminded. There are many reasons why I shall always remember him with high respect and the kindest of feelings.

Farewell! Kind, generous, warm-hearted, noble-spirited friend. Rest in peace.

Senator J. B. HARSH, of the Fifth District, spoke as follows:

MR. PRESIDENT—I had not intended to say anything on this occasion, but I am impelled to speak by some thoughts which have forced themselves upon my mind while listening to the glowing eulogies just pronounced. I will not try to contribute anything by way of oratory, or deal in set phrase or studied diction. Of these I am not master, and if I were I could not hope to interest this Senate after hearing the eloquent words which have been uttered here this afternoon. Others have spoken of my departed friend and colleague, Peter G. Ballingal, as traveler, statesman, philanthropist and senator. I invite you to the contemplation of his character as a citizen and man of affairs. If there is one thing more than another of which we may, as Iowans, be justly proud it is the high character of our citizenship. So much do the people of this commonwealth value citizenship of high order that they devote nearly half of the revenue derived from taxation to fitting the young to become good citizens. For what else, Mr. President, are our public schools maintained than to equip the boys and girls of Iowa for the duties of citizenship? The leading characteristic, Mr. President, of our departed brother was his high grade of citizenship, and I can think of nothing better that I can say here to-day than this: That during his life he was a good citizen of a State noted for its high standard of citizenship. He had nearly, if not quite, all the qualities attaching to the model citizen. He was intelligent, industrious, honest, sober, progressive, philanthropic and public spirited. He possessed executive ability of high order and though he had not studied finance in the schools yet he had mastered its elements and was familiar by practice with its principles. In matters of business his courage never failed him. I recall, as though it was but yesterday, the incident referred to by his successor (Senator Smith) concerning the building of the Coal Palace at Ottumwa. When all, with his neighbors, was doubt and uncertainty Ballingal was confident and serene. I well remember his coming here to my seat two years ago to invite me to go down to Ottumwa to speak to his people in aid of the project just referred to. He told me his associates in the enterprise were becoming discouraged "and," said he, "something must be done, for that Palace shall be built." In vain I urged that I was not a talker and feared I could not aid him. His answer was: "I don't want a flowery speech; just come down and tell us how you Creston folks built the Blue Grass Palace and of your great success, and I know it will do good." I consented and went with him to Ottumwa. He told his friends he had brought me to "get up some enthusiasm." I confess to you that I absorbed from the Senator himself the greater part of the zeal and enthusiasm I was credited with imparting on that occasion to my Ottumwa audience. He was full, so to speak, of the project, and it is to the disparagement of none to say that had it not been for Senator Ballingal the beautiful black diamond structure that has done so much for that portion of the State, and, indeed, for the entire

State would never have been built. Mr. President, when a statesman dies the people mourn; when an eminent divine passes to the other side of the river which marks the boundary between time and eternity, the good feel desolate and forsaken; when a great soldier, who has drawn his sword in defense of his country, surrenders to the grim warrior, citizens eagerly search for another protector; when the scholar passes away the learned lament the loss to the State and the cause of letters, but greater, Mr. President, than all these is the loss when the man of affairs dies. For to be a successful man of affairs, as was he whom we mourn to-day, is to combine in one man the qualities of the statesman, the scholar, the man of large business and executive capacity, and the liberal and public spirit. It is said, Mr. President, to be a principle of philosophy that nothing is lost. That any sound ever uttered is still somewhere; that the faintest wail of a tiny infant in the morning of time is still reverberating through space and that it will go on and on forever. If that be true, then will the influence of the life of Senator Ballingall be felt long after we are forgotten. His kind words and sympathizing actions were so much a part of him, that to think of him as we are doing here to-day is restful, wholesome and helpful. The great-hearted man is gone. Let us emulate his virtues.

SENATOR B. R. VALE,

of the second district, addressed the senate as follows:

MR. PRESIDENT—I wish to add a word only to the many eulogies previously pronounced in memory of the distinguished dead under consideration, not that anything I can say will intensify words already spoken by able men, but from the fact that my acquaintance with the deceased differs, perhaps, from that of every other Senator upon this floor, and, studied from my standpoint of view, I am fully able to concur in the many and kindly expressions already made, and can safely say that Senator Ballingall was one of the most intensely interesting studies in his varied and peculiarly personal characteristics of any man of my acquaintance.

With a physique made strong by early culture and an inherent ambition, strengthened by his surroundings, his capacity for labor, physical and mental, was almost indomitable. The world to him was an unceasing and ever-changing object lesson. Personal contact with men and objects was his favorite mode of obtaining and storing information. That seeming eccentricity of manner was no contradiction of his generosity or of the charity of his nature, but simply an evidence of the fact that life, to him, was too short to let any opportunity pass and still hope to fill the measure of his existence.

He was pre-eminently himself under all circumstances, and while his associations were, for the greater part, with the ever restless, moving world, he was always willing to engage in friendly conversation, for mutual profit, with the intelligent inquirer after knowledge, however humble or commonplace. This was the result of his life's practice—never to lose an opportunity of gaining information, hence we realize the philosophy of his demeanor, and comprehend more fully that goodness of heart which prompted many a word of encouragement; many an act of charity.

His was an intense loyalty and devotion to every interest which enlisted his attention. From kindred to fraternal and social relationships and on into business and civil associations, out into a state and national acquaintance, we find the same earnest zeal, promoted only by an honest and unselfish heart.

Having consigned all that remains earthly of our friend and associate to the grave, let us profit by the many marked and distinguished characteristics of his

busy and eventful life, emulating every feature that will guide us to a better and more useful life, and enable us to be more helpful to our fellow men, not forgetting that "It is not all of life to live, nor all of death to die."

Senator Dodge moved that the resolutions be adopted by a rising vote of the Senate, and the President expressed his great pleasure in being able to announce that the resolutions were unanimously adopted.

The Senate then adjourned until ten o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 10, 1892. }

Senate met pursuant to adjournment at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. B. F. W. Cozier, of Colfax, Iowa.

The Chair announced Senators Bolter, Perkins and Bailey as a committee to confer with the Pioneer Law Makers' Association, which meets in the Senate Chamber at 3 o'clock this afternoon.

The journal of Monday, February 8th, 1892, was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Smith of Wapello, presented petition of members of the bar of Wapello county, asking for an additional judge in the Second judicial district.

Referred to Committee on Congressional and Judicial Districts.

Senator Smith of Wapello, presented petition of members of the bar of Jefferson county, Iowa, asking for an additional judge in the Second judicial district.

Referred to Committee on Congressional and Judicial Districts.

Senator Smith of Wapello, presented petition of members of the bar of the Second judicial district of Henry county asking for additional judges.

Referred to Committee on Congressional and Judicial Districts.

Senator Palmer presented petition of Company D, Second regiment of Iowa National Guards favoring the passage of a bill for an act to amend the military code.

Referred to Committee on Military.

Senator Kent presented petition of W. R. Timpe and other business men of Ft. Madison, asking change in exemption laws.

Senator Mattoon presented petition of members of Company I, Fourth Regiment, Iowa National Guard, asking that the military code of Iowa be amended to increase the efficiency of the National Guard.

Referred to Committee on Military.

Senator Dodge presented petition of W. H. Vansant and other citi-

zens of Des Moines county, protesting against a change in exemption laws.

Referred to Committee on Judiciary.

Senator Fiun presented petition of M. G. Simpson and others, favoring the passage of a law changing the exemption laws.

Referred to Committee on Judiciary.

Senator Green presented petition of citizens of Jones county, favoring the erection of cottages at Marshalltown for the wives of Iowa soldiers and sailors.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Everall, by request, Senate file No. 202, a bill for an act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines.

Read first and second times and referred to the Committee on Manufactures.

By Senator Harsh, Senate file No. 203, a bill for an act to provide for building cottages for soldiers' wives at Home at Marshalltown.

Read first and second times and referred to the Committee on Appropriations.

By Senator Mosnat, Senate file No. 204, a bill for an act to make appropriations for the college for the blind, at Vinton, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Mosnat, Senate file No. 205, a bill for an act to amend section 2, of chapter 148, of the laws of the Sixteenth General Assembly.

Read first and second times and referred to Committee on Judiciary.

By Senator Parrott, Senate file No. 206, a bill for an act to amend section 11, of chapter 82, acts of the Twenty-third General Assembly, in relation to public printing and binding.

Read first and second times and referred to Committee on Printing.

By Senator Smith of Butler, Senate file No. 207, a bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, 1954, 3792, and 3797 of the Code of 1873.

Read first and second times and referred to Committee on Judiciary.

By Senator Smith of Butler, Senate file No. 208, a bill for an act to repeal section 4042 of the Code of 1873, and to provide a substitute therefor, and to enlarge the duties and powers of the State Dairy Commissioner.

Read first and second times and referred to Committee on Agriculture.

By Senator Andrews (by request), Senate file No. 209, a bill for an act to amend section 2529 of the Code of 1873, relative to limitation of actions against sureties on bonds of public officers.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, Senate file No. 210, a bill for an act to define the residence of any ex-soldier, sailor or marine, who may be discharged from the Iowa Soldiers' Home.

Read first and second times and referred to Committee on Military.

By Senator Kelly, by request, Senate file, No. 211, a bill for an act governing the letting of contracts for highway bridges with a required capacity and general care of same.

Read first and second times and referred to Committee on Highways.

Senator Perry was granted leave to withdraw his resolution in relation to mail carrier.

Senator Gobble asked unanimous consent to have Senate files 197 and 198 re-referred to Committee on Corporations which was granted and the bills were so referred.

Senator Dodge asked unanimous consent to change Senate file No. 183 from the Judiciary Committee to the Committee on Ways and Means which was granted and the bill so referred.

Senator Perry made the following motion: That the Governor's message and inaugural address in their several parts, be referred by the President of the Senate to the appropriate committees.

The motion was adopted.

REPORTS OF STANDING COMMITTEES.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 74, a bill for an act providing for funding indebtedness evidenced by warrants, and the refunding of bonded indebtedness of incorporated towns, and for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that it do pass:

That the word "Twenty-third," which occurs as the sixth word in the ninth line and as the ninth word in line twenty-two, be stricken out, and the word "twenty-fourth" inserted in place thereof; that section 9, being the publication clause, be stricken out.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 125, a bill for an act to authorize the township of any county in

the State of Iowa to build public halls for elections and public meetings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Kelly from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 107, a bill for an act to provide for the appointment of county superintendent of schools by the board of supervisors of the several counties of the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. SPEAKER—Your Committee on Schools, to whom was referred Senate file No. 46, a bill for an act to so amend sections 1717 and 1817 of the Code as to require proper notice to be given of the special purpose of any tax proposed to be voted at the annual March meeting of independent and township meetings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Smith, from the Committee on Retrenchment and Reform submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 57, a bill for an act to repeal section 3792 of the Code, in reference to compensation of county recorder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

R. S. SMITH, *Chairman*.

Ordered passed on file.

Senator Rich from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 132, a bill for an act providing for the collection and tabulation of statistics of crops and live stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that following amendments:

Section 1.—In second line, after the word taxation, insert "*in each odd-numbered year, when the real estate is assessed.*"

Strike out, in the fourteenth line, all the words after the, and insert "*third Monday in May of such year.*"

Section 3.—Second line. Strike out the word "*each*" and insert "*such*" in lieu thereof; and, as amended, recommend that the bill do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected three years, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Reiniger submitted the following minority report on Senate file No. 1:

The undersigned, the minority of the Committee on the Suppression of Intemperance, do not agree with the majority report of the Committee on Senate file No. 1, recommending the passage of the bill with certain proposed amendments, and recommend that the consideration of the bill be indefinitely postponed for the reasons following:

First. The people of the State, whenever they have had the opportunity to do so, have voted for the prohibition of the saloon liquor traffic, and have at no time voted for license or in any manner legalized the traffic of intoxicating liquors as a beverage, and the will of the people on this question ought to be respected until by vote on the question they adopt a different policy.

Second. If it is claimed that the traffic of intoxicating liquors as a beverage is not detrimental to the morals, health and welfare of the public, it ought to be as free and untrammelled as any legitimate business in the State; but if it is conceded that this traffic is detrimental to the good morals, health and public welfare generally, it ought to be suppressed by law, as a crime against the public, the same as gambling, betting, the vending of obscene literature, the social evils and like offenses.

The argument some times advanced that the present prohibitory law is violated or cannot be enforced in certain locations of the State, furnishes no more valid reasons why the saloon traffic and sale of liquors should be licensed than it does that gambling and the other offenses above referred to should be licensed, as it cannot be denied that in the larger cities of the State the laws as to these offenses are violated daily.

Third. This bill proposes to reverse a policy of the State that was adopted by a Democratic General Assembly nearly forty years ago, and substitute a system that has never successfully restrained the evils of the liquor traffic, and that we verily believe will result in forcing the legalized saloon upon communities where it is now excluded, and from which it should remain excluded forever. For this and other reasons, we believe the consideration of the bill should be indefinitely postponed.

ROBT. G. REINIGER.
A. K. BAILEY.

BILLS ON THIRD READING.

Senate file No. 113 was called up, the bill, having been engrossed, was read a third time and put upon its passage.

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44

The nays were:

Senator Perry—1.

Absent or not voting:

Senators Bolter, Conaway, Engle, Kent, Reynolds—5.

So the bill passed and the title was agreed to.

On motion of Senator Kent, Senate file No. 104, a bill for an act to amend section 4780, of the Code, in relation to the visitors' fund and the disbursement thereof, with report of committee recommending that the bill do pass with the publication clause stricken out, was taken up, considered, and the report of the committee was adopted.

Senator Kent moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Everall, Finn, Funk, Gobble, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale, Yeomans—39.

The nays were:

Senators Bishop, Green, Hurst, Rich, Terry—5.

Absent or not voting:

Senators Conaway, Engle, Gardiner, Gatch, Reynolds, Shields—6.

So the bill passed and the title was agreed to.

Senator Mack moved that the preamble to resolution introduced February 3d, by Senator Perry, relative to the speaker of the House of Representatives, Attorney General of Iowa, and the Secretary of the Senate, be stricken out.

A committee from the Pioneer Law Makers' Association appeared in the Senate chamber and announced that they would accept the invitation extended to said association by the Senate to meet with the Senate at 2:30 o'clock.

Senator Bolter moved that the rules be suspended, and that when the Senate adjourns it adjourns to meet at 2:25 o'clock this afternoon.

Adopted.

Senator Gatch moved that the hour for adjournment be postponed ten minutes.

Carried.

The question now being upon the adoption of the motion made by Senator Mack, to strike out the preamble to the resolution introduced by Senator Perry, February 3d, the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Vale—22.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Stewart, Terry, Yeomans—24.

Absent or not voting:

Senators Engle, Reynolds, Smith of Wapello, Turner—4.

So the motion was lost.

Senator Dent moved the previous question.

Senators Reiniger and Mack each offered substitutes for the original resolution offered by Senator Perry, which substitutes were ruled out of order.

The question now being "Shall the previous question be seconded?"

Pending roll call on this question, Senator Gatch moved a further extension of the time of adjournment for fifteen minutes.

Carried.

On the question, "Shall the previous question be seconded?"

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Stewart, Terry, Yeomans—27.

The nays were:

Senators Andrews, Bailey, Chantry, Finn, Funk, Hager, Harmon, Jamison, Jewett, Lewis, Mack, Palmer, Reiniger, Smith of Wright, Turner, Vale—16.

Absent or not voting:

Senators Conaway, Engle, McCall, Parrott, Perkins, Reynolds, Smith of Wapello—7.

So the previous question was seconded.

The question now being upon the adoption of the resolution intro-

duced by Senator Perry February 3, 1892, the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Stewart, Terry, Yeomans—24.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale—22.

Absent or not voting:

Senators Engle, McCall, Reynolds, Smith of Wapello—4.

So the resolution was adopted.

Senate adjourned until 2:25 this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2:25 o'clock P. M., President Bestow presiding.

The special order for the hour being a reception by the Senate of the Pioneer Law Makers of Iowa.

At 2:40 o'clock the Reception Committee, on the part of the Senate, announced the arrival of the Pioneer Law Makers, who were, by direction of the President, given seats on the floor of the Senate.

President Bestow addressed the visitors and extended to them cordial greetings on behalf of the Senate.

Judge Wright, of the Pioneers addressed the Senate and thanked the President for his cordial greeting to them, and introduced Hon. Edward Campbell, of Jefferson county, who addressed the Senate. He was followed by Hon. Reuben Noble, of Clayton county.

Senators Bolter and Shields on behalf of the Senate returned the thanks of the Senate to the Pioneer Law Makers for their visit and words of advice.

Hon. George W. Jones, first United States Senator from Iowa, then addressed the Senate in a few brief words.

Judge Wright then addressed the Senate, and closed by inviting the Senate as a body to meet with the Pioneer Law Makers at the Y. M. C. A. building, Thursday at 3 o'clock P. M.

On motion of Senator Bolter the Senate took a recess of twenty minutes.

Senate reconvened at 3:40 o'clock P. M., and on motion adjourned until to-morrow morning at ten o'clock.

SENATE CHAMBER,
D MOINES, IOWA, THURSDAY, February 11, 1892. }

Senate met pursuant to adjournment, President *pro tem.* Kelly, presiding.

Prayer by the Rev. B. F. W. Cozier, of Colfax, Iowa.

The Journal of Tuesday, February 9th, was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petition of attendants at the State Fair of 1891 numbering 665 voters and 1,225 women, favoring woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Bishop presented petition of citizens of Osceola county, favoring change in the revenue laws.

Referred to Committee on Ways and Means.

Senator Bishop presented petition of citizens of Osceola county, asking the passage of the Conger lard bill and option bill.

Referred to Committee on Federal Relations.

Senator Bishop presented petition of Company E, Sixth regiment Iowa National Guard, at Hull, Iowa, favoring change in the military code.

Referred to Committee on Military.

Senator Smith, of Butler, presented petition of citizens of Butler county, for revision of revenue laws; for protection of makers of promissory notes; favoring the Australian ballot system; for an efficient law for the extermination of wolves; the election of United States Senators by direct vote of the people, and the correction of abuses of Union Stock Yards.

Referred to Committee on Judiciary.

Senator Smith, of Butler, presented petition of citizens of Butler county, favoring Conger lard bill and option bill.

Referred to Committee on Federal Relations.

Senator Smith, of Butler, presented petition of Company F, Fourth regiment, Iowa National Guard, for change in the military code.

Referred to Committee on Military.

Senator Jewett presented petition of 35 citizens of Mitchell

county for revision of present laws on taxation; protection of makers of promissory notes; favoring the Australian ballot system; for an efficient law to exterminate wolves; for the election of United States Senators by direct vote, and against abuses of Union Stock Yards.

Referred to Committee on Banks and Banking.

Senator Jewett presented petition of members of Company B, Sixth regiment, Iowa National Guards, urging the passage of a bill to amend the military law.

Referred to Committee on Military.

Senator Palmer presented resolution of Farmers' Alliance of Henry county, asking for the taxation of mortgages and securities.

Referred to Committee on Banks and Banking.

Senator Shields presented petition of citizens of Dubuque county, asking for revision of revenue laws; for protection of makers of promissory notes; favoring Australian ballot system; for the election of U. S. Senators by direct vote, and for correcting abuses in the Union Stock Yards.

Referred to Committee on Judiciary.

Senator Shields presented petition of citizens of Dubuque county, favoring Conger lard bill and option bill.

Referred to Committee on Federal Relations.

Senator Jewett presented petition of citizens of Mitchell county, favoring Conger lard bill and the option bill.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Bishop, Senate file No. 212, a bill for an act to amend chapter 72 of the laws of 1884, relative to selling and leasing lands belonging to the Iowa State Agricultural College and farm.

Read first and second times and referred to Committee on Educational Institutions.

By Senator Bishop, by request, Senate file No. 213, a bill for an act to amend section 21, chapter 65, of the acts of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Insurance.

By Senator Gatch, by request, Senate file No. 214, a bill for an act to amend section 9 of chapter 100, acts of the Sixteenth General Assembly, relating to mechanics' liens.

Read first and second times and referred to Committee on Labor.

By Senator Lewis, by request, Senate file No. 215, a bill for an act appropriating \$87.20 to defray the expenses of a delegate appointed by

the governor to attend the "Beef and Pork Combine" convention, at St. Louis.

Read first and second times and referred to Committee on Claims.

By Senator Mattoon, Senate file No. 216, a bill for an act to regulate the charges of telegraph companies in the State of Iowa.

Read first and second times and referred to Committee on Corporations.

By Senator Terry, Senate file No. 217, a bill for an act to legalize certain ordinances of cities and towns.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Lewis, by request, Senate file No. 218, a bill for an act providing for establishment, alteration, or vacation and establishment of public highways at the expense of the counties, in certain cases.

Read first and second times and referred to Committee on Highways.

By Senator Conaway, by request, Senate file No. 219, a bill for an act to tax all mineral rights owned by persons or corporations who do not own the surface.

Read first and second times and referred to Committee on Retrenchment and Reform.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, in which the concurrence of the Senate is asked: In relation to invitation to the General Assembly to visit the State University at Iowa City.

CHAS. BEVERLY, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Mosnat, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Senate file No. 1, being a joint resolution and memorial to the Congress of the United States, in reference to the election of United States Senators by the direct vote of the people, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. MOSNAT, *Chairman.*

Ordered passed on file.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 82, a bill for an act to amend chapter 105, laws of the Twenty-second

General Assembly, relative to the relief of union soldiers, sailors and marines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 109, a bill for an act to provide for the protection of owners of stallions and the breeders of pure blooded horses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 11, instructing our Senators and requesting our Representatives in Congress to procure the passage of an act which shall provide for indemnifying the *bona fide* settlers upon what is known as Des Moines River lands, whose titles have failed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 152, a bill for an act to restrain hunters from trespassing upon the cultivated lands or enclosed grounds without permission, and providing penalties therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that this accompanying bill be substituted for said Senate file No. 152, and when so substituted that the bill do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. SPEAKER—Your Committee on Railways, to whom was referred Senate file No. 157, a bill for an act authorizing the board of supervisors of any county in the State to grant to any company or corporation, desiring to build and operate a railway by electric or other motive power other than animal or steam power, permission to build and operate such railway along, upon and across any public highway in such county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Oleson moved that the rule be suspended and Joint Resolution No. 11 be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the resolution pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—48.

The nays were:

None.

Absent or not voting:

Senators Engle, Vale.

So the resolution passed and the title was agreed to.

Senator Brower called up his concurrent resolution introduced on Monday, February 8th, relative to visiting the State University, and moved that the Senate do now concur in a similar concurrent resolution from the House to visit said University, and that a committee be appointed to confer with a committee from the House to fix upon a day.

President Bestow took the chair.

Pending discussion, the hour having arrived for the special order, it being the consideration of Senate file No. 1; the majority and minority reports of the Committee on Suppression of Intemperance were read.

Senator Schmidt moved the adoption of the majority report, that the bill do pass.

Senator Reiniger moved to substitute the minority for the majority report, that the bill be indefinitely postponed.

Senator Gobble moved that when the Senate adjourns, it adjourn to meet at 2:30 o'clock this afternoon, and that the order of business now before the Senate be the order for this afternoon.

Carried.

The Senate adjourned until 2:30 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2:30 o'clock P. M., President Bestow presiding.

The question being a further consideration of the special order—Senate file No. 1.

Senator Perkins moved that a committee of three Senators be appointed to visit the Pioneer Law Makers' Association, now in session in this city, and report to that body why the Senate did not meet with them this afternoon.

The President appointed Senators Chantry, Bailey and Bishop as such committee.

Senator Funk moved that there be printed three hundred copies of the substitute for Senate file No. 152, as reported from the Committee on Fish and Game.

Carried.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT — I am directed to inform your honorable body that the House has passed the following House bill in which the concurrence of the Senate is asked: House file No. 81, a bill for an act to protect the makers of negotiable instruments.

CHARLES BEVERLY, *Chief Clerk.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the House has passed the following House bill, in which the concurrence of the Senate is asked:

House file No. 144, a bill for an act to legalize the acts of the council of La Porte City, Blackhawk county, and to legalize the ordinances and resolutions passed and adopted by the government of said city.

CHAS. BEVERLY, *Chief Clerk.*

Senator Kelly took the chair.

On motion of Senator Shields the Senate adjourned to meet at 10 A. M. to-morrow, the special order being continued until that hour.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 12, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

The journal of Wednesday was read, corrected and approved.

The special order being the further consideration of Senate file No. 1.

Senator Cleveland moved that the special order be suspended until 10:30 o'clock.

Carried.

Senator Brower moved that the following concurrent resolution from the House be concurred in:

Resolved by the House, the Senate concurring: That the invitation to visit the State University be accepted, and that a committee of three members of the House and a like number from the Senate be appointed to fix the date.

. On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Brower, Conaway, Hager, Jamison, Kelly, Mattoon, Mosnat, Reynolds—9.

The nays were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Everall, Funk, Gardiner, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kent, Lewis, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—37.

Absent or not voting:

Senators Engle, Finn, Gatch, Mack—4.

So the Senate refused to concur.

Senator Chantry, for the committee appointed to visit the Pioneer Law Makers, made the following report:

MR. PRESIDENT—Your committee appointed to wait upon the Association of the Pioneer Law Makers, and extend your greetings and express your regrets at not being able to avail ourselves of their invitation to meet with them in their hall, have the honor to report that they promptly performed that duty, and are commissioned by the President of that association to express their profound regrets and disappointment that the duties of the Senate have precluded it from accepting their invitation to meet with them in their hall.

Motion made by Senator Reiniger that the report be received and committee discharged.

Carried.

PETITIONS AND MEMORIALS.

Senator Brower presented petition and remonstrance of the registered pharmacists of Franklin county, protesting against the passage of Senate file No. 53.

Referred to Committee on Pharmacy.

Senator Reiniger presented petition of Company D, Fourth regiment Iowa National Guards, relative to having the military Code amended.

Referred to Committee on Military.

Senator Dodge presented petition of Company H, Second regiment Iowa National Guards, asking that the military law may be so amended as to increase its efficiency, etc.

Referred to Committee on Military.

Senator Kent presented petition of Company A, Second regiment, Iowa National Guard, asking a change in the military Code of Iowa.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Groneweg, Senate file No. 220, a bill for an act to amend section 796 of the Code, relating to tax levy for county purposes.

Read first and second times and referred to Committee on Ways and Means.

By Senator Kelly, by request, Senate file No. 221, a bill for an act to aid the State Historical Society of Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Mack, by request, Senate file No. 222, a bill for an act to prohibit selling, giving or furnishing tobacco in any of its forms to minors under sixteen years of age and providing a penalty therefor.

Read first and second times and referred to Committee on Public Health.

By Senator Mosnat, Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg, Benton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Read first and second times and referred to the Committee on Judiciary.

By Senator Smith of Wapello, Senate file No. 224, a bill for an act to repeal section 1 of chapter 14, acts of the Twenty-third General Assembly, and enacting a substitute therefor, making the provisions of said chapter applicable to all cities containing a population of over ten thousand, and all cities organized and existing under special charter.

Read first and second times and referred to the Committee on Cities and Towns.

At 10:30 o'clock the special order of business was resumed.

The President called Senator Gobble to the Chair.

Senator Smith, of Wapello, moved that when the Senate adjourns that it adjourns to meet at 2 o'clock this afternoon.

Carried.

The Senate adjourned to meet at 2 o'clock P. M.

AFTERNOON SESSION.

Senate met as per adjournment at 2:00 o'clock P. M., President *pro tem* Kelly presiding.

Senator Gardiner moved that the special order of business for this hour be suspended for the introduction of a resolution.

Carried.

Senator Gardiner introduced the following resolution, and moved its adoption:

Resolved, That this Senate thoroughly appreciates the courtesy and kindness of the President, Faculty and Regents of the State University, in extending this body an invitation to visit Iowa City and the University; and also the courtesy of the Chicago, Rock Island & Pacific Railroad Company for their offer to furnish our body transportation in making such a visit; and that we deeply regret that the urgency of the Legislative business of the session precludes our acceptance.

Resolved, That an engrossed copy of this resolution be presented to the President of the University, and to the proper representative of the railroad company.

Adopted.

Senator Cleveland moved that this Senate do adjourn after Senator Shields concludes his remarks upon the question now under consideration, and that the special order be continued at 10:30 o'clock A. M. to-morrow.

Carried.

The Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 13, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.
Prayer by the Rev. Q. H. Shinn, of Galesburg, Illinois.

PETITIONS AND MEMORIALS.

Senator Kent presented petition of citizens of Laurens, Iowa, for the passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Kent presented petition of citizens of Keokuk, asking for the passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Brower presented petition of William Oxley and 138 others, citizens of Corwith, Hancock county, Iowa, relating to injury done to stock by dogs; danger from mad dogs, etc.; and asking that the Judiciary Committee of the Senate present a bill offering relief.

Referred to Committee on Judiciary.

Senator Bolter, at the request of Mrs. Col. Scott, of Story county, presented petitions of soldiers and others of Albia, Iowa; C. H. Huntley Relief Corps, No. 72, of Mason City, Iowa; J. B. Steadman Relief Corps, No. 68, of Colo, Iowa; C. G. Francis Relief Corps, No. 103, Walker, Iowa; James R. Buckman Relief Corps, No. 65, Le Claire, Iowa; G. Goodrich Relief Corps, No. 115, Odebolt, Iowa; Ed. Hamlin Relief Corps, No. 88, Wellman, Iowa; Lawrence Relief Corps, No. 182, Sabula, Iowa; Launtz Relief Corps, No. 166, Ireton, Iowa; Busk Relief Corps, Frederick, Iowa; McKenzie Relief Corps, No. 181, Sheldon, Iowa; Orman Relief Corps, No. 209, Albia, Iowa; Jason D. Ferguson Relief Corps, No. 147, Nevada, Iowa; soldiers, citizens and ladies, Dunlap, Iowa; Victor Relief Corps, No. 42, Victor, Iowa; McDowell Post, G. A. R., No. 391, Early, Iowa; E. B. Townsend Post, No. 100, Bloomfield; John Kyle Post, 457, Coggon; General Lyon Post, No. 133, Clarion; G. H. Powers Post, No. 111, Scranton; G. H. Emerson Post, No. 268, Vincennes; Alloway Post, No. 106, Lynnville; James Biddlecoulk Post, No. 461, Akron; N. P. Wright Post, No. 291, Glidden; Buford Post, No. 300, Ogden; Hervey Dix Post, No. 371, McGregor; Osceola Post, No. 173, Osceola; A.

W. Dripps Post, No. 74, Maquoketa, all favoring the erection of a soldiers' mounment.

Senator Smith of Wapello presented petition of nine members of the bar of Centerville, Iowa, favoring an additional judge in the Second judicial district.

Referred to Committee on Congressional and Judicial Districts.

Senator Smith of Wapello presented petition of five members of the bar of Davis county, favoring an additional judge in Second district.

Referred to Committee on Congressional and Judicial Districts.

Senator Everall presented petition of citizens of Clayton county, favoring the passage of the Conger lard and the option bills.

Referred to Committee on Judiciary.

Senator Everall presented petition of citizens of Clayton county, favoring the passage of laws revising revenue laws; for protection of makers of promissory notes; favoring the Australian ballot system; for the passage of a law to exterminate wolves; favoring the election of United States Senators by direct vote, and to correct the abuses of the Union Stock Yards.

Referred to Committee on Ways and Means.

Senator Smith of Wright, presented petition of Farmers' Alliance of Fairview, Hardin county, for change in revenue laws; for protection to makers of promissory notes; favoring adoption of Australian ballot system; for laws for the extermination of wolves; favoring the election of United States Senators by direct vote, and to correct the abuses at Union Stock Yards.

Referred to Committee on Ways and Means.

MESSAGES FROM THE HOUSE.

The following messages were received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed House Joint Resolution No. 3, in which the concurrence of the Senate is asked, instructing our Senators and requesting Representatives in Congress to procure the passage of an act by Congress which shall provide for indemnifying the bona fide settlers upon what is known as the Des Moines river lands, whose titles have failed.

Also:

That the House has passed Senate Joint Resolution No. 11 on same subject

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has, by unanimous vote, refused to concur in the Senate amendment in concurrent resolution in regard to mail carriers.

CHAS. BEVERLY, *Chief Clerk.*

Pending the discussion of a question of privilege by Senator Finn, the hour having arrived, the special order, being the consideration of Senate file No. 1, was resumed.

Senator Dent moved that when this Senate adjourns, it do adjourn to meet at 2 o'clock this afternoon.

Carried.

On motion of Senator Perry, the Senate adjourned until 2 o'clock this afternoon, and the special order for that hour is to be the further consideration of Senate file No. 1.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2 o'clock P. M., President Bestow presiding.

Business was resumed under the special order of business, it being a further consideration of Senate file No. 1.

Senator Mack moved that after the conclusion of the remarks by Senator Perry, that the special order be resumed on Tuesday, February 16, 1892, at 10 o'clock A. M.

Carried.

PETITIONS AND MEMORIALS.

Senator Mack presented petition of school board of Storm Lake, Iowa, favoring local option of free text books.

Referred to Committee on Schools.

REPORTS OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 181, a bill for an act to amend section 4,043 of the Code, relating to lotteries, beg leave to report that they have had the same under consideration and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 69, a bill for an act legalizing the acts of the incorporated town of Greene,

Butler county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Horticulture and Forestry, submitted the following report.

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 146, a bill for an act establishing Arbor day as a holiday and to set apart the first Friday after the first Tuesday of April of each year as Arbor day, to be observed by the schools of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the further consideration of the bill be indefinitely postponed.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 33, a bill for an act to provide for holding farmers' institutes in the State of Iowa, and providing for the expenses thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying committee substitute bill, with the recommendation that it do pass, when so substituted.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 111, a bill for an act to amend chapter 70, laws of the Twenty-third General Assembly; also chapter 42 of the Twenty-second General Assembly, relating to damage done by dogs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 29, a bill for an act to assist farmers in holding farmers' county institutes for educational purposes, and for developing the agricultural resources of the State, and for appropriating moneys therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Mack, Senate file No. 225, a bill for an act to repeal section 1579 of the Code and enact a substitute therefor, providing for the publication and sale of school laws.

Read first and second times and referred to Committee on Schools.

By Senator Perkins, Senate file No. 226, a bill for an act making an appropriation for the Hospital for the Insane, at Clarinda, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Mack, Senate file No. 227, a bill for an act to provide for special exercises at public schools upon a day to be known as Arbor Day.

Read first and second times and referred to Committee on Schools.

By Senator Mack, Senate file No. 228, a bill for an act requiring United States flags to be placed on all schools within the State of Iowa.

Read first and second times and referred to Committee on Schools.

By Senator Gardiner, Senate file No. 229, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages.

Read first and second times and referred to Committee on Judiciary.

Senator Rich moved that there be printed 300 copies of the substitute for Senate file No. 33, reported by the Committee on Agriculture.

Carried.

The following pairs were announced:

Senators Andrews and Hurst until Tuesday at 10 o'clock A. M.; Senators Terry and Funk until Tuesday noon; Senators Yeomans and Vale until Tuesday at 10 o'clock A. M.

The Senate adjourned until Monday, February 15, 1892, at 10 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 15, 1892. }

Senate met in regular session at 10 o'clock, A. M., President Bestow presiding.

Prayer by Rev. Fred Harris, of Altoona, Iowa.

Leave was granted Senator Bolter to introduce a bill.

INTRODUCTION OF BILLS.

By Senator Bolter, Senate file No. 230, a bill for an act to amend section 277 of the Code, relating to the power of notary public.

Read first and second times and referred to Committee on Judiciary.

By Senator Brower, Senate file No. 231, a bill for an act to legalize the official acts of C. R. Wood, a notary public in and for Hancock county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Brower, Senate file No. 232, a bill for an act to legalize the acts of R. J. W. Bloom, a notary public of Hancock county, Iowa.

Read first and second times and referred to Committee on Judiciary.

PETITIONS AND MEMORIALS.

Senator Everall presented petition of citizens of Clayton county, relative to taxing compound lard.

Referred to Committee on Federal Relations.

Senator Everall presented petition of citizens of Clayton county, asking revision of the revenue laws.

Referred to Committee on Ways and Means.

Senator Green presented petition of the citizens of Washington township, Jones county, favoring revision of revenue laws; protection to makers of promissory notes; Australian ballot law; extermination of wolves; election of United States Senators by popular vote; law to correct abuses of the Union Stock Yards at Chicago.

Referred to Committee on Judiciary.

Senator Lewis presented petition of D. P. Goodrich and one hundred and sixty-seven citizens of Wayne county, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Hager presented petition of citizens of Madison county to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Hager presented petition of citizens of Madison and Dallas counties to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gardiner, by request, presented petition of fifty-two voters of Clinton, Clinton county, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gardiner, by request, presented petitions of eight voters and thirty non-voters of Lowmoor, Clinton county, Iowa, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gardiner, by request, presented petition of fifteen voters of Clinton, Clinton county, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gardiner, by request, presented petition of seven non-voters of Clinton county, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Harmon (by request), Senate file No. 233, a bill for an act to amend section 2223, chapter 3, Title XV, of the Code, in relation to divorce.

Read first and second times and referred to the Committee on Judiciary.

By Senator Stewart, Senate file No. 234, a bill for an act to repeal section 3 of chapter 211, of the acts of the Eighteenth General Assembly, relating to Insurance, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Insurance.

Senator Perkins introduced the following resolution:

Resolved, That the Appropriations Committee of the Senate are hereby directed to make their report to this body not later than the 7th day of March, 1892.

Under the rules the resolution went over until to-morrow.

Senator Finn moved that the State printer be ordered to print three hundred *correct* copies of Senate file No. 154.

Carried.

Senator Lewis introduced the following resolution:

Resolved, That the special Committee on the Columbian Exposition be hereby instructed to report all bills relating thereto, to this Senate, on or before Thursday, February 25, 1892, and that when so reported the same be immediately referred to the Committee on Appropriations.

Under the rules the resolution was laid over until to-morrow.

REPORT OF STANDING COMMITTEE.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 129, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be re-committed to the Committee on Compensation of Public Officers.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Mattoon moved that Senate file No. 129 be recommitted to the Committee on Compensation of Public Officers.

Carried.

On motion of Senator Andrews Senate file No. 82, a bill for an act to amend chapter 105, laws of the Twenty-second General Assembly, relative to the relief of Union soldiers, sailors and marines, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Dent, Everall, Finn, Funk, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Harsh, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner—36.

The nays were:

None.

Absent or not voting:

Senators Bishop, Cleveland, Dodge, Engle, Gobble, Hurst, Jamison, Mosnat, Palmer, Parrott, Perry, Terry, Vale, Yeomans—14.

So the bill passed and the title was agreed to.

Senator Chantry introduced the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring: That in obedience to joint rule No. 5, there be appointed a joint standing committee, consisting of two from the Senate and two from the House, whose duty it shall be to examine and carefully compare the enrolled with the engrossed bills, as passed in the two Houses, and report thereon to their respective bodies.

Carried.

On motion of Senator Funk, Senate File No. 74, a bill for an act providing for funding indebtedness evidenced by warrants and the refunding of bonded indebtedness of incorporated towns and for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such tax, with report of committee recommending amendments, and that when amended the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Chantry offered the following amendment to the bill, and moved its adoption:

Amend by inserting after the word "authorize" in the third line of Section 1, the words, "Upon the petition of a majority of the tax-payers of such incorporated town and."

Senator Bolter moved that when the Senate adjourns it adjourn to meet at two o'clock this afternoon.

Lost.

By request of Senator Funk the hour of adjournment was extended ten minutes, to permit further consideration of the question pending.

The question now being upon the adoption of the amendment offered by Senator Chantry.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Chantry, Conaway, Everall, Finn, Gardiner, Green, Grone-
weg, Hager, Harmon, Jewett, Perkins, Reiniger, Reynolds, Schmidt,
Smith of Wright, Turner, Vale—17.

The nays were:

Senators Bailey, Bolter, Brower, Dent, Funk, Gatch, Harsh, Kelly,
Kent, Lewis, Mack, McCall, Mattoon, Oleson, Rich, Shields, Smith of
Butler, Stewart—18.

Absent or not voting:

Senators Andrews, Bishop, Cleveland, Dodge, Engle, Gobble, Hurst,
Jamison, Mosnat, Palmer, Parrott, Perry, Smith of Wapello, Terry,
Yeomans—15.

So the amendment was lost.

Senator Reiniger offered the following amendment:

Insert "at the office of the treasurer" after the word "presentation" in the seventh line, section 2.

Lost.

On motion the time of adjournment was further extended five minutes.

The question now being, "Shall the rule be suspended, and the bill be considered engrossed and read a third time now," which motion prevailed and the bill was read the third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Bailey, Bolter, Brower, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Turner, Vale—33.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bishop, Chantry, Cleveland, Engle, Finn, Gobble, Hurst, Jamison, Jewett, Mosnat, Palmer, Parrott, Perry, Smith of Wapello, Terry, Yeomans—17.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the Senate is asked:

House file No. 5, amending section 121 of the Code, in relation to proposals for stationery and paper.

House file No. 73, to amend sections 11 and 12, of chapter 14, of the laws of the Twenty-third General Assembly.

House file No. 181, amending sections 289 and 290 of the Code of 1873.

CHAS. BEVERLY, *Chief Clerk.*

The following pairs were announced: Senators Conaway and Cleveland, for this week.

Senator Bishop was granted leave of absence on account of sickness.

The Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 16, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding

Prayer by Rev. W. H. Patterson, of Des Moines, Iowa.

The special order of business being the further consideration of Senate file No. 1.

Senator Vale announced that he and Senator Bishop were paired during the sickness of the latter Senator.

Senator Finn offered the following resolution, and moved its adoption.

Resolved by the Senate: That the Governor be respectfully requested to report to this body as to whether or not, in addition to the pardons already reported, a full and absolute pardon was issued by him July 17, 1890, to one Chester Turney; to state the conditions on which said Chester Turney was released from the penitentiary, by a former Governor—William Larrabee—and expressly to state whether one of these conditions was that said Chester Turney was not to engage in the sale of intoxicating liquors in violation of law; and whether said condition and all others, were cancelled and annulled by the act of pardon of July 17, 1890, aforesaid.

Under the rule the resolution went over until to-morrow.

Senator Vale took the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the Senate is asked:

House file No. 8, a bill for an act to amend Section 203 of the Code as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of the clerks of courts. Also House file No. 299, a bill for an act legalizing the revised ordinances of 1881 and ordinances numbered from 27 to 41 inclusive, of the town of Adel, Dallas county, Iowa, and all resolutions passed and official acts done by the town council of said town.

CHAS. BEVERLY, *Chief Clerk.*

Senator Kelly moved that when the Senate adjourns that it do adjourn to meet at 8 o'clock this evening for the consideration of the special order.

Senator Lewis moved that the hour of adjournment be extended ten minutes.

Carried.

Senator Finn moved to amend Senator Kelly's motion to adjourn by making the hour 2:15 o'clock this afternoon.

The amendment prevailed.

The question now being upon the original motion to adjourn, as amended.

Carried.

On motion of Senator Lewis the Senate adjourned to meet at 2:15 o'clock this afternoon.

AFTERNOON SESSION.

Senate met as per adjournment at 2:15 o'clock, President Bestow presiding.

The Senate resumed the special order, being a further consideration of Senate file No. 1.

President *pro tem.* Kelly took the chair at 4 o'clock.

On motion of Senator Bailey, the Senate adjourned to meet at 10 o'clock A. M. to-morrow, the special order to be resumed at 10:30 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 17, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Gobble presented petition of ninety-five citizens of Wilton, Muscatine county, Iowa, favoring the erection of cottages at Soldiers Home, Marshalltown.

Referred to Committee on Military.

Senator Gobble presented petition of three hundred and nine citizens of the city of Muscatine, Iowa, for the cottage system at the Iowa Soldiers' Home.

Referred to Committee on Military.

Senator Terry presented petitions of ninety-three voters and one hundred and seventy-seven non-voters of Linn county, Iowa, favoring retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kelly presented petition of Mrs. J. H. Fischer and fifty-five citizens of Johnson county, favoring the political rights of women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Oleson presented petition of Mrs. H. Welles and forty-two other citizens of Webster county, favoring no change in prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Andrews presented petitions of 256 persons of Audubon, Adair, Guthrie and Dallas counties requesting the Twenty-fourth General Assembly not to repeal or modify the prohibition law of Iowa.

Referred to Committee on Suppression of Intemperance.

Senator Yeomans presented petition of citizens of Woodbury county, asking for the establishment of a reformatory prison for women.

Referred to Committee on Charitable Institutions.

Senator Smith, of Wright, presented petition of one hundred and sixty-eight non-voters and thirty-nine voters of Hardin county, asking no change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith, of Wright, presented petition of one hundred and five voters of Iowa Falls, Iowa, favoring no change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Reiniger presented petition of fifty-one men and fifty-one women of Jasper county, Iowa, favoring women suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Reiniger presented memorial from the officers of the Iowa Woman's Suffrage Association, praying that a law may be enacted giving the women of Iowa a voice in the appointment of presidential electors.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Harsh presented petition of W. H. Ross and ninety others, asking passage of Senate file No. 152, to prevent trespassing by hunting on enclosed lands.

Referred to Committee on Fish and Game.

Senator Dent presented petition of 88 voters of Ida Grove, Ida county, Iowa, asking no change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mack presented petition of 49 voters and 59 non-voters of Buena Vista and Humboldt counties favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Fihn presented petition of 45 non-voters and 64 voters of Adams, county, Iowa favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bolter presented petition of sixty-one non-voters and forty-seven voters of Crawford county, Iowa, asking no change in present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of George Q. Gardner and one hundred and thirteen other citizens of Winneshiek county, asking the passage of a law protecting stallion owners.

Referred to Committee on Agriculture.

Senator Chantry presented petition of forty-eight mothers and ladies of Red Oak, Iowa, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of Charles H. Gilbert and seventy-two voters of Grundy county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of Mrs. Sarah Gilbert and 155 others, non-voters and residents of Grundy county, Iowa, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Perkins presented petitions of forty voters and sixty-six non-voters of Clarinda, Page county, Iowa, asking that the prohibitory law be not repealed.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of F. M. Coleman and twenty-two other voters of Howard county, Iowa, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of Mrs. F. M. Coleman and twenty-five other non-voters of Howard county, Iowa, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Green presented petitions of eighty voters and one hundred and three non-voters of Cedar county, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Green presented petitions of seventy-five voters and one hundred and four non-voters of Jones county, Iowa, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Jamison presented petitions of eighty voters and twenty-six non-voters of Osceola, Iowa, protesting against any change in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harmon presented petition of J. D. Russell and fifty-three others of Buchanan county, asking that no change be made in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Lewis presented petitions of E. A. Rea and seventy-four other citizens of Wayne county, Iowa, and also Mrs. Belle Freeland and ninety-nine other ladies of Wayne county, favoring Woman Suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Harmon presented petitions of Mrs. H. S. Wilson and one hundred and seventy-five others, non-voters, of Delaware county, Iowa, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harmon presented petitions of I. A. Wheeler and eighty-seven others, citizens of Delaware county, Iowa, asking no change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat, by request, presented petitions of Mary E. Cory and sixty-nine others of Tama County, Iowa, asking maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat, by request, presented petitions of Frank Cory and forty-seven others, citizens of Tama county, Iowa, asking no change in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Conaway presented petitions of one hundred and eighty-eight citizens of Mahaska county, favoring passage of Senate file No. 189, for the establishment of a hospital for incurable insane.

Referred to Committee on Appropriations.

Senator Palmer presented petition of I. G. White Post, No. 108, G. A. R., asking the passage of a law to amend chapter 178 of the laws of the Twentieth General Assembly.

Referred to Committee on Military.

Senator Palmer presented petition of citizens of Washington county, Iowa, favoring the passage of a bill for a change in the present exemption laws.

Referred to Committee on Judiciary.

Senator Turner presented petitions of voters and non-voters of Marshall county, asking for the maintenance of present prohibitory laws.

Referred to Committee on Suppression of Intemperance.

Senator Everall presented petitions of twenty-one non-voters and thirteen voters of Clayton county, Iowa, favoring maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Everall presented petition of D. S. Moore and one hundred and forty-five others, citizens of Worth county, asking for immediate action on Senate file No. 9, and praying for its passage.

Referred to Committee on Labor.

Senator Rich presented petition of citizens of Red Oak, Iowa, favoring the passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Gatch presented petition of school directors asking for change in the school text book law.

Referred to Committee on Schools.

Senator Gatch presented petition of Cigar Makers' Union, favoring Senate file No. 8.

Referred to Committee on Labor.

Senator Gatch presented remonstrance of Cigar Makers' Union, against any change in the exemption laws.

Referred to Committee on Judiciary.

Senator Gatch presented petition of Cigar Makers' Union, favoring establishment of Free Employment Bureau.

Referred to Committee on Labor.

Senator Gatch presented petitions of thirty-nine non-voters of Polk county, favoring the retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petitions of nineteen voters of Polk county, Iowa, favoring the retention of the present prohibitory laws of the State.

Referred to Committee on Suppression of Intemperance.

Senator Vale presented petition of Prof. A. B. Goss and other teachers, of Keosauqua, Iowa, favoring the passage of a law prohibiting the sale or gift of tobacco to minors.

Referred to Committee on Public Health.

Senator Rich presented petitions of fifty-five voters and 230 non-voters of Sac county, Iowa, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Jamison presented resolutions from the Farmers' Alliance of Warren county, Iowa, in regard to certain bills now pending before the Senate.

Referred to Committee on Judiciary.

On motion of Senator Brower, Senate file No. 203 was taken from the Committee on Appropriations and re-committed to the Committee on Military.

On motion of Senator Gardiner, the special order was deferred until 11 o'clock A. M.

Senator Mattoon moved that 300 copies of the substitute bill for Senate file No. 73, as reported from the Committee on Public Health, be ordered printed.

Carried.

On motion of Senator Jamison, Senate file No. 157 was re-committed to the Committee on Judiciary.

Senator Finn moved that the resolution introduced by him on yesterday, relative to the pardon of Chester Turney, be adopted.

Senator Dodge moved as an amendment, that the resolution be referred to the Committee on Judiciary.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith (of Wapello), Stewart, Turner, Terry, Yeomans—22.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Finn, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith (of Wright), Turner—21.

Absent or not voting:

Senators Bishop, Cleveland, Conaway, Engle, Funk, Smith (of Butler), Vale—7.

So the amendment was adopted and the resolution referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 235, a bill for an act to amend section 2743, Code of 1873, relating to findings of facts and law in all trials by the court.

Read first and second times and referred to Committee on Judiciary.

By Senator Gatch, Senate file No 236 a bill for an act to provide for the sale and transfer of corporate franchises and property in the foreclosure of mortgages and under execution.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 237, a bill for an act to authorize the executive council to employ the services of the Iowa State Band and to make an appropriation for its better equipment.

Read first and second times and referred to the Committee on Appropriations.

By Senator Gatch, Senate file No. 238, a bill for an act to give the district court of the State of Iowa, original concurrent jurisdiction with justices of the peace in actions of forcible entry and detainer.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gobble, Senate file No. 239, a bill for an act to amend section 499 of the Code of 1873.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 240, a bill for an act to amend sections 522 and 542 of the Code of 1873.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 241, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 242, a bill for an act to amend section 2, chapter 38 of the acts of the Nineteenth General Assembly, relating to the levy of tax for the purpose of creating a general paving fund.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 243, a bill for an act to amend section 1, chapter 171 of the acts of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 244, a bill for an act to amend section 464 of the Code of 1873.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 245, a bill for an act to amend 1262 of the Code as amended.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 246, a bill for an act to empower cities under special charter to levy a special tax for sweeping, sprinkling, cleaning and repairing paved streets and alleys.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 247, a bill for an act granting additional rights and powers to cities.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 248, a bill for an act amending section 471 of the Code as amended.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 249, a bill for an act to empower cities of the first-class to establish a department of health.

Read first and second times and referred to the Committee on Cities and Towns.

By Senator Gobble, Senate file No. 250, a bill for an act to amend sections 1 and 2 of chapter 192 of the acts of the Twentieth General Assembly of Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Gobble, Senate file No. 251, a bill for an act to amend section 1 of chapter 162 of the acts of the Seventeenth General Assembly of Iowa, as amended by chapter 34 of the acts of the Twenty-first General Assembly of Iowa.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Gobble, by request, Senate file No. 252, a bill for an act granting additional rights and powers to cities.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Mosnat, Senate file No. 253, a bill for an act to require notice of reports of guardians and administrators to be given to parties interested before the approval thereof is binding.

Read first and second times and referred to Committee on Judiciary.

By Senator Parrott, by request, Senate file No. 254, a bill for an act establishing and organizing mutual loan and business associations, and enacting a substitute for chapter 6, title IX, Code of 1873.

Read first and second times and referred to Committee on Corporations.

By Senator Reiniger, by request, Senate file No. 255, a bill for an act to confer upon women the right to vote at elections appointing electors for the election of President and Vice-President of the United States.

Read first and second times and referred to Committee on Constitutional Amendment and Suffrage.

By Senator Smith of Wright, Senate file No. 256, a bill for an act appropriating money for the support of the boys' department of the Industrial School at Eldora.

Read first and second times and referred to the Committee on Appropriations.

By Senator Yeomans, Senate file No. 257, a bill for an act to make further provision for the care of insane persons.

Read first and second times and referred to the Committee on Charitable Institutions.

By Senator Groneweg, by request, Senate file No. 258, a bill for an act in regard to dangers incident to railroad crossings at the same level.

Read first and second times and referred to the Committee on Railroads.

By Senator Bailey, Senate file No. 259, a bill for an act to facilitate the listing of personal property for assessment and to equalize the burdens of taxation.

Read first and second times and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 19, a bill for an act to impose an inheritance tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

First. Insert the words "a bond" after the word "county," in the 10th line of section 2.

Second. Substitute the word "the" for the word "their," in the 2nd line of section 6.

Third. To substitute the word "the" for the word "such," at the end of the 1st line in section 7.

Fourth. That the word "to" where it occurs the second time in line 4 of section 9 be stricken out.

Fifth. To add at the end of section 11 "on the order of the executive council."

Sixth. To strike out "3577" and insert in lieu thereof "2373," in the second line of section 12.

Seventh. To strike out the letter "t" in the word "thereof" in the third line of section 12.

Eighth. To insert the words "in each county" after the word "court" in the 1st line of section 14.

Ninth. To add at the end of the second line after the word "the" "State" "and;" and when the same is so amended that the bill do pass.

WM. GRONEWEG, *Chairman*.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 186, a bill for an act to license and regulate the keeping of stallions for service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 54, a bill for an act to protect stock breeders within the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 187, a bill for an act to repeal section 4055 of the Code, and to enact a

substitute therefor, relating to diseased cattle, hogs and sheep, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 185, a bill for an act to protect the public from fraudulent pedigrees of live stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred petition of citizens of Worth county, asking the Twenty-fourth General Assembly to pass joint resolution favoring the passing by the Fifty-first Congress of the Conger lard bill, also the option bill, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Federal Relations.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Shields, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 39, a bill for an act to increase the number of judges in the Seventh Judicial District, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

J. H. SHIELDS, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 73, a bill for an act to regulate the title of veterinary surgeon in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted in lieu thereof.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Everall, from the Committee on Printing, submitted the following report.

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the

Iowa Academy of Sciences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 65, a bill for an act to give boards of supervisors power to select one additional newspaper in which to publish their proceedings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that it do pass:

That the word "five," which occurs as the ninth word in the third line of section 1, be stricken out and the word "seven" be inserted in lieu thereof.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred Senate joint resolution No. 5, relative to "options," "boards of trade," etc., beg leave to report that they have had the same under consideration, but as the Senate has already concurred in a House joint resolution which fully covers the subject of this resolution, the committee therefore recommends its indefinite postponement.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons to whom was referred concurrent resolution for the pardon of Charles Cook, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution be adopted.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House concurrent resolution relative to the Governor receiving the direct tax from the

United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution be indefinitely postponed, for the reason that said resolution is a concurrent resolution, and in the opinion of your Committee should be a joint resolution; and for the further reason that your Committee have recommended the passage of Senate joint resolution No. 13, covering the same subject matter.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate joint resolution No. 13, to accept the direct war tax refund appropriated by Congress to the State upon the trusts and conditions specified by the act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the joint resolution do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 133, a bill for an act to amend the Military Code, and to increase the efficiency of the National Guard, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the bill do pass as amended.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 136, a bill for an act to amend chapter 105 of the acts of the Twenty-second General Assembly, relating to the relief of Union soldiers, sailors and marines, and the indigent widows and children of these soldiers, sailors and marines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that another bill of the same import has been recommended to the Senate for favorable consideration by the Committee.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate file No. 156, a bill for an act to locate a highway across lands belonging to the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the third line of section 1, after the word "Iowa," the following words: "By and with the consent of the trustees of the Hospital for the Insane at Independence;" and that when so amended it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

The special order, being the further consideration of Senate file No. 1, was resumed at 11 o'clock A. M.

Senator Gatch was called to the chair.

Senator Smith, of Wapello, moved that when the Senate adjourns, that it do adjourn to meet at 10 o'clock A. M. to-morrow, and that the special order be resumed at 10:30 o'clock A. M.

Carried.

On motion of Senator Yeomans, the rule was suspended, and the hour of adjournment was extended ten minutes for the correction of the Journal.

The Journals of February 11th, 12th, 13th, 15th and 16th, were corrected and approved.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 18, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. A. J. Barton, of Indianola.

PETITIONS AND MEMORIALS.

Senator Jamison presented petition of John McCuddon and thirty-seven other citizens of Warren county, asking the passage of the so-called "Innocent Purchaser Bill," and the Australian ballot law.

Referred to Committee on Ways and Means.

Senator Jamison presented petition of John McCuddon and thirty-seven other citizens of Warren county, favoring a joint resolution calling on our Representatives in Congress to pass the "Conger Lard Bill."

Referred to Committee on Federal Relations.

Senator Bishop presented petition of Anson Tolman and one hundred and twenty other citizens of Rock Rapids, Iowa, to retain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bishop presented petition of twenty-two non-voters of Lyon county, Iowa, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bishop presented petition of Henrietta W. Acer, president W. R. C., No. 203, and other citizens of O'Brien county, favoring the cottage plan for Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Dodge presented remonstrance of citizens of Iowa against any change in the exemption laws.

Referred to Committee on Judiciary.

Senator Jewett presented petition of twenty-one citizens of Worth county, favoring the passage of the "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Jewett presented petition of twenty-two citizens of Worth county, asking revision of the revenue laws and other matters.

Referred to Committee on Judiciary.

Senator Bailey presented petition of George Tyler and twenty-three other citizens of Winneshiek county, asking equalization of the burdens of taxation; protection to makers of promissory notes; passage of Australian ballot bill; election of United States Senators by vote of the people, and for other measures.

Referred to Committee on Ways and Means.

Senator Bailey presented petition of G. E. Dallingham and twenty-two other citizens of Winneshiek county, in reference to "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Bolter presented petition of eighty-two citizens of Monona county, asking the passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Harsh presented petition of citizens of Union county for the erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Smith, of Wapello, presented petition of seventy-eight citizens of Ottumwa, Iowa, favoring the passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Everall presented petition of George Meyer and thirty-two other citizens of Clayton county, favoring "Conger Lard Bill," and the "Option Bill".

Referred to Committee on Federal Relations.

Senator Everall presented petition of George Meyer, John Stahl and thirty others, citizens of Clayton county, favoring revision of revenue laws; protection to makers of promissory notes; Australian ballot system; the passage of a bill for the extermination of wolves; the election of United States Senators by the people, and for the correction of abuses at the Union Stock Yards, Chicago.

Referred to the Committee on Ways and Means.

Senator Palmer presented resolution of I. G. White Post No. 108, G. A. R., of Marshalltown, Iowa, favoring the passage of a bill for the erection of cottages at Soldiers' Home, Marshalltown, Iowa; also favoring the erection of Soldiers' Monument.

Referred to Committee on Military.

Senator Vale presented resolution of Iowa Improved Stock Breeders' Association favoring appropriation for Columbian Exposition; favoring appropriation for the enforcement of section 4042 of the Code; favoring appropriations to aid in conducting Farmers' Institutes; for more radical laws for extermination of wolves, and other matters.

Referred to Committee on Ways and Means.

Senator Perry presented petition of citizens of Marion county favoring revision of revenue laws and other matters.

Referred to Committee on Ways and Means.

Senator Ferry presented petition of citizens of Marion county, favoring passage of "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Groneweg presented petition of citizens of Pottawattamie county, asking for the building of cottages at the Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Brower, Senate file No. 260, a bill for an act to further provide for a State Soldiers' and Sailors' Monument.

Read first and second times and referred to Committee on Military.

By Senator Chantry, Senate file No. 261, a bill for an act to amend section 1, chapter 80, of the acts of the Twenty-third General Assembly of Iowa.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Dent, Senate file No. 262, a bill for an act to amend section 2648 of the Code of Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Dent, Senate file No. 263, a bill for an act to amend section 9, of chapter 60, of the laws of the Fifteenth General Assembly.

Read first and second times and referred to the Committee on Banks and Banking.

By Senator Everall, Senate file No. 264, a bill for an act to prevent oppression by garnishment and the transferring of claims for the purpose of depriving debtors of their exemption rights.

Read first and second times and referred to the Committee on Judiciary.

By Senator Green, Senate file No. 265, a bill for an act to prevent accidents to railway freight trains and for the better protection of railway employes.

Read first and second times and referred to the Committee on Railroads.

By Senator Jamison, Senate file No. 266, a bill for an act to amend sections 990 and 1001 of the Code, for the purpose of relieving the counties of liability in certain cases.

Read first and second times and referred to the Committee on Highways.

By Senator Stewart. Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors and providing their duties.

Read first and second times and referred to the Committee on Agriculture.

By Senator Stewart, Senate file No. 268, a bill for an act to repeal section 24, chapter 52, laws of the Twenty-second General Assembly, and enact a substitute therefor.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Terry, by request, Senate file No. 269, a bill for an act requiring railroad companies to employ experienced persons to operate locomotives, engines, and providing penalties for violation thereof.

Read first and second times and referred to the Committee on Railways.

By Senator Bailey, by request, Senate file No. 270, a bill for an act for the registration of pedigrees.

Read first and second times and referred to the Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 70, a bill for an act to amend section 2546, chapter 85, Code of Iowa, (McLain's), to define the standing of medical colleges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended to read "A Bill for an Act to amend Section 1, Chapter 104, of laws of the Twenty-first General Assembly, and to define the standing of Medical Colleges," and the body to read: Sec. 1. That section 1, chapter 104, of the laws of the Twenty-first General Assembly be and the same is hereby amended by inserting after the word "determine" in the eighth line as follows: "By inquiring of the secretary of the national association to which the said college belongs, if found recommended and in good standing in said national association, and when so amended that the bill do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 209, a bill for an act to amend section 2529 of the Code, relative to limitation of actions against sureties on bonds of public officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 172, a bill for an act legalizing ordinance No. 21, of town council of Belle Plaine, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 171, a bill for an act to direct the manner of voting on school house questions in all independent districts in cities and incorporated towns, at the annual meeting on the second Monday in March, under section 180 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred a resolution instructing said Committee to confer with the Governor in relation to the existing contracts for the labor of convicts at Fort Madison penitentiary, ascertaining the date of expiration of said contracts and terms thereof, beg leave to report that they have had the same under consideration, and have instructed me to submit the following report: Contract with Fort Madison Chair Company, made December 12, 1888, for fifty men, from May 1, 1889, to January 15, 1892, and fifty men from May 1, 1890, to January 15, 1892; price of labor, fifty cents per day. May 5, 1891, contract extended one year; expires January 15, 1893. Contract with Iowa Farming Tool Company, made April 26, 1890, for forty men, from October 1, 1890, to January 15, 1892, and seventy-five men from April 1, 1891, to January 15, 1892; price of labor, fifty cents per day. June 2, 1891, contract extended for one year; expires January 15, 1893. Contract with Huiscamp Brothers, made November 22, 1881, for ninety men, from July 15, 1883, until January 15 1892; price of labor, forty-five cents per day. Contract not renewed. Men working under old contract from day to day.

M. J. KELLY, *Chairman*.

The following communication and resolutions were read and passed on file:

IOWA HISTORICAL COLLECTIONS.

RESOLUTIONS ADOPTED BY THE PIONEER LAW MAKERS' ASSOCIATION OF IOWA.
DES MOINES, FEBRUARY 11, 1892.

DES MOINES, IOWA, February 17, 1892,

HON. S. L. BESTOW, *Lieutenant-Governor and President of the Senate*:

SIR:—In pursuance of the direction of the Pioneer Law Makers' Association of Iowa, we have the honor herewith to transmit sundry resolutions unaminously

adopted by that body, at its third biennial reunion held in this city on the 10th and 11th days of this month.

Very respectfully,
GEORGE G. WRIGHT, *President*,

C. S. WILSON, *Secretary*.

RESOLUTIONS.

Resolved: That the Association of Pioneer Law Makers of Iowa, in their third reunion assembled, do most heartily approve of the bill introduced by Senator Gatch "for an act to promote historical collections in the capitol of Iowa." Especially do we approve of the main features of the bill, which is, "to appoint a curator of historical collections who shall," in the language of the bill, "proceed to collect and arrange books, maps, charts, public documents, manuscripts and other papers and materials, illustrative of the history of Iowa in particular and of the west generally.

Resolved further, That in our judgment there can be no subject of general legislation which should commend itself to more careful and earnest attention than that embodied in this bill, Senate file No. 20, and that we do, therefore, most earnestly ask for its passage.

Resolved, That this Association most heartily endorse the noble work of Charles Aldrich in the State library, which has been so largely a gift to the people of Iowa, and warmly commends this work to the attention and fostering care of the Twenty-fourth General Assembly, and the whole people of the State.

Resolved, That a copy of these resolutions, attested by the president and secretary of this association, be transmitted to the Senate and House of Representatives of this State.

On motion of Senator McCall, three hundred copies of the foregoing resolutions were ordered printed.

The hour having arrived, the special order was resumed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 172, to amend section 2 of chapter 156, of the laws of the Seventeenth General Assembly, relative to the protection of game.

House file No. 226, to punish the crime of Sodomy.

CHAS. BEVERLY, *Chief Clerk*.

President *pro tem* Kelly took the chair.

Senator Smith of Wapello, moved that when the Senate adjourns, that it do adjourn to meet at 10 o'clock A. M. to-morrow, and that the special order be continued until 10:30 A. M. to-morrow.

Carried.

Senator Bolter moved that the Senate do adjourn at the close of the remarks of Senator Lewis.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 19, 1892. }

Senate met in regular session, at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. D. McPherson, of Des Moines, Iowa.

Senator Vale was excused until Tuesday, February 23, 1892, and announced that he is paired with Senator Cleveland until that date.

PETITIONS AND MEMORIALS.

Senator Bolter presented petition of citizens of Harlan, Iowa, favoring passage of Senate file No. 9, providing for the establishment of a free public employment bureau.

Referred to Committee on Labor.

Senator Chantry presented petition of A. J. Krousbein and other business men of Malvern, Iowa, asking for the passage of House file No. 106.

Referred to Committee on Judiciary.

Senator Palmer presented petition of Captain J. W. Harper and eighty-six other citizens of Washington, Iowa, favoring the erection of cottages at the Soldiers' Home, Marshalltown.

Referred to Committee on Military.

Senator Smith of Butler presented petition of twenty-two voters of Tripoli, Bremer county, favoring the retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith of Butler presented petition of twenty non-voters of Tripoli, Bremer county, asking maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Perkins presented petition of M. M. Parrish and seventy-five others, voters of Fremont county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Jewett presented petition of sixteen citizens of Worth county, favoring the "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Jewett presented petition of sixteen citizens of Worth county, favoring a revision of the revenue laws and other matters.

Referred to Committee on Ways and Means.

Senator Harmon presented petition of citizens of Buchanan county, favoring the cottage plan at the Soldiers' Home, at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Kelly, by request, presented petition of Legrand Byington, for relief.

Referred to Committee on Claims.

Senator Jamison presented petition of 219 non-voters of Warren county, asking that present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Jamison presented petition of 139 voters of Warren county, against repeal or modification of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Funk, by request, Senate file No. 271, a bill for an act creating the office of state chemist.

Read first and second times and referred to the Committee on Public Health.

By Senator Perry, Senate file No. 272, a bill for an act to amend section one of chapter 194, acts of the Twentieth General Assembly, relating to the collection of delinquent taxes.

Read first and second times and referred to the Committee on Judiciary.

By Senator Reynolds, Senate file No. 273, a bill for an act to amend section 907 of the Code, relating to peddlers' license.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Smith of Wapello, Senate file No. 274, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, as amended by chapter 9 of the acts of the Twenty-third General Assembly, in reference to the lien on property for assessments for improvements of streets, highways, avenues or alleys, and making further provisions with respect to contract by cities embraced within the provisions of said chapter 20 of the acts of the Twentieth General Assembly of Iowa, as amended by chapter 9 of the acts of the Twenty-third General Assembly of Iowa, for the improvement of streets, highways, avenues or alleys, and for the making and collection of assessments and the issuance of certificates to pay the same.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Yeomans, Senate file No. 275, a bill for an act to amend chapter 85 of the laws of the Twenty-second General Assembly of the State of Iowa, entitled, "an act restoring non-resident aliens in their rights to acquire and hold real estate, and repealing section 1908 and 1909 of the Code."

Read first and second times and referred to Committee on Judiciary.

By Senator Lewis, by request, Senate file No. 276, a bill for an act to amend chapter 43, laws of the Twenty-third General Assembly, relating to the arrest, trial and punishment of tramps.

Read first and second times and referred to Committee on Cities and Towns.

By Committee on Library, Senate file No. 277, a bill for an act to amend section 1 of chapter 158 of the laws of the Twenty-first General Assembly, relating to the salary of the messenger in the State Library.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Mack, Senate file No. 278, a bill for an act to establish and maintain a normal school at Humboldt, Humboldt county, Iowa.

Read first and second times and referred to Committee on Educational Institutions.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 103, amending chapter 85, of the acts of the Twenty-second General Assembly.

House file No. 59, amending chapter 54, of the acts of the Sixteenth General Assembly.

CHARLES BEVERLY, *Chief Clerk.*

Senator Kelly moved that the Senate recede from its action relative to the resolution providing for the appointment of a mail carrier.

Carried.

Senator McCall moved that the vote by which the Senate receded from its action relative to the appointment of mail carrier, be reconsidered.

Carried.

The hour having arrived, the special order was resumed at 10:30 o'clock A. M.

Senator Kelly moved that the special order be continued, to be resumed at 10:30 o'clock A. M., to-morrow.

Carried.

On motion of Senator Gath, the hour for adjournment was extended ten minutes.

REPORTS OF STANDING COMMITTEES.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 96, a bill for an act for the preservation of the health of female employees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the letter "h" in the word "mercantile," in the second line of section 1; also in the third line insert the words "when practicable" after the word "seats;" also to strike out all the sixth line and insert "the work engaged in may reasonably admit of." Section 2 be amended by striking out the words "twenty-five," and insert the word "ten" in the fifth line. Section 3, the fourth line be amended by striking out the words "Miller's Annotated" and insert the word "the" in lieu thereof.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 69, a bill for an act to amend section No. one (1), of chapter twenty-four (24), acts of the Twentieth General Assembly, with reference to railroad crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 16, a bill for an act to amend section 17, chapter 28, of the acts of the Twenty-second General Assembly, so as to prohibit increased freight rates and higher classifications of freight on railroads within this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Gatch, from the Committee on Library, submitted the following report:

MR. PRESIDENT—Your Committee on Library, to whom was referred Senate file No. 20, a bill for an act to promote historical collections in the Capitol of the

State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

In section 4, after the word "the" strike out the words "natural history, geology, mineralogy." Strike out section 5, and substitute the following: "Sec. 5. It shall be the duty of the custodian of the Capitol building to proceed, under the direction of the Trustees of the State Library, to prepare and furnish the rooms named in section 1, for the purpose herein set forth, and then to remove to said rooms the cases and materials known as the 'Aldrich Collection' which, together with such additions as may be made to it, shall thenceforth form a part of the collections herein contemplated "

Section 7. After the word "dollars" insert the words "out of which shall be paid all of the expenditures contemplated by section 8, hereof" and that as amended the committee recommend that the bill be referred to the Committee on Appropriations.

C. H. GATCH, *Chairman.*

Ordered passed on file.

Senator Shields, from the Special Committee on the World's Columbian Exposition, to whom was referred Senate file 93, submitted the following report:

MR. PRESIDENT—Your Committee to whom was referred Senate file No. 93, a bill for an act making an appropriation for a creditable exhibit of the resources of the State of Iowa at the World's Columbian Exposition of 1893, to be held at the city of Chicago, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words "three hundred thousand dollars" in the first section thereof be stricken out, and the words "two hundred and twenty thousand dollars" be inserted in lieu thereof; that sections 2 and 3 of said bill be stricken out, and the bill as amended do pass.

J. H. SHIELDS, *Chairman.*

Ordered passed on file.

The following pairs were announced: Senators Jewett and Everall, until Tuesday next; Conaway and Dent, until Tuesday noon.

Senator Andrews asked consent to call up House message, with reference to House files No. 299, a bill for an act to legalize the acts and ordinances of the town of Adel, Dallas county, Iowa, and House file No. 8, a bill for an act to amend section 203, of the Code, as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of the clerks of the court.

Each were read a first and second times and referred to the Committee on Judiciary.

Senator Mattoon moved that the Senate do now adjourn.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 20, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow, presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Gatch presented petition of John A. Smith and fifty-five other citizens favoring passage of Senate file No. 91.

Referred to Committee on Ways and Means.

Senator Gatch presented petition of W. A. Johnson and fifty-eight other residents of Polk county in favor of Senate file No. 91.

Referred to Committee on Ways and Means.

Senator Parrott presented petition of Thos. B. Moore and two hundred other citizens of Blackhawk county asking the erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Green presented petition of citizens of Cedar county, favoring the erection of cottages at the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Gardiner presented petition of citizens of Welton, Clinton county, Iowa, favoring the erection of cottages at the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Gardiner presented petition of citizens of Grand Mound, favoring the erection of cottages at the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate file No. 279, a bill for an act conferring upon cities the right to establish free employment offices.

Read first and second times and referred to the Committee on Labor.

By Senator Gobble, Senate file No. 280, a bill for an act to establish and maintain a normal school at Columbus Junction, Louisa county, Iowa.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Kelly, Senate file No. 281, a bill for an act establishing a uniform system of text books for use in the common schools in the State of Iowa, and to reduce the cost of the same; defining the duties of certain officers named therein and providing certain penalties for violation of the provisions thereof.

Read first and second times and referred to the Committee on Schools.

By Senator Mack, Senate file No. 282, a bill for an act creating and establishing an appellate court, and defining the powers and jurisdiction thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Yeomans, Senate file No. 283, a bill for an act amending chapter 134 of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Fourth judicial district.

Read first and second times and referred to the Committee on Judicial Districts.

By Senator Conaway, Senate file No. 284, a bill for an act providing a substitute for chapter 6 of title IX of the Code of 1873, for establishing and governing mutual loan and building associations.

Read first and second times and referred to the Committee on Banks and Banking.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, February 20, 1892. }

To the General Assembly:—In accordance with the requirements of the statute I herewith transmit to you notification of vacancies in the Board of Trustees of State Institutions, which are required to be filled by the General Assembly.

In trustees of the Hospital for the Insane at Independence, by resignation of Albert Reynolds, for term ending July, 1894. Filled temporarily by appointment July 30, 1890, of A. G. Case, of Charles City, who resigned February 15, 1892.

In regents of the State University, by resignation of Thomas S. Wright, for the term ending March 28, 1894. Filled July 1, 1890, by election of Carrol Wright, of Des Moines, by the Regents.

In trustees of the State Agricultural College, by resignation of Joseph Dysart, for term ending April 30, 1894. Filled August 11, 1891, by election of Cato Sells, of Vinton, by trustees.

In the trustees of the Soldier's Orphans Home and Home for Indigent Children, by resignation of Mrs. Sarah L. T. Hutchinson, for term ending April 30, 1896.

HORACE BOIES.

Referred to the Committee on Elections.

MESSAGES FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House Bill, in which the concurrence of the Senate is asked:

House file No. 268, legalizing the acts of the incorporated town of Garden Grove. Also,

That the House has concurred in Senate joint resolution No. 14, relating to compound lard.

CHARLES BEVERLY, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 210, a bill for an act to define the residence of any ex-soldier or marine who may be discharged from the Iowa Soldiers' Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

N. V. BROWER, *Chairman.*

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 68, a bill for an act to amend section 1967 of the Code of 1873, relative to defective acknowledgments of deeds, mortgages and other instruments in writing, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows :

Add at end of section 1 the words : "*Provided*, That this act shall not apply to cases where vested rights have accrued, nor to cases now in litigation."

Also:

That the bill be further amended by striking out the publication clause. And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 165, a bill for an act legalizing the organization of the city of Clinton, in the county of Clinton, in the state of Iowa, as a city of the first class, and the election of its officers and legalizing its ordinances and resolutions passed and adopted by the city council of said city and the acts of said city council and officers of said city, beg leave to report that they have had the same under consideration.

The committee recommend a substitute and have instructed me to report the same back to the Senate with the recommendation that when so substituted it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Mack offered the following resolution and moved its adoption:

WHEREAS, It has been stated by a newspaper printed in the city that two Senators of this body, one a Democrat and the other a Republican, were found in a house of ill-fame in the city of Des Moines on Saturday, February 13, 1892, and arrested; and whereas, such statement reflects on this body and on each member thereof, therefore be it

Resolved, That a committee of four be appointed, two from each political party, to inquire into and report the facts to this body, and to give the names of any Senator so found; and that this committee be given full power and authority to subpoena witnesses, send for papers and employ a clerk.

Adopted.

On motion of Senator Schmidt, the special order was suspended until 11 o'clock A. M.

The President appointed the following committee of investigation: Senators Mack, Brower, Perry and Yeomans.

Senator Parrott offered the following resolution, and moved its adoption:

WHEREAS, Certain articles have appeared in various papers of the State bearing the name of H. M. Belvel, an employe of this Senate, making a vile, slanderous and untruthful attack upon a member of this body. Therefore, be it

Resolved, That the said H. M. Belvel be and he is hereby relieved from further duty as an employe of this body, and that the position that he has occupied be declared vacant, and that said Belvel be hereafter prohibited from the privileges of the floor as a newspaper reporter.

Resolution laid over under the rule.

The concurrent resolution relative to the appointment of mail carrier, was taken up and considered.

The question being: "Shall the Senate recede from its action substituting the name of Captain Hubbard for that of F. L. Barnett, in the concurrent resolution?"

Senator Reiniger offered the following resolution as a substitute for the question now pending:

Resolved, That the Senate adhere to its amendment and that this disagreement be referred to the Conference Committee heretofore appointed.

Adopted.

So the matter was referred to the Conference Committee.

Senator Mack moved that the special order be suspended until 10:30 o'clock A. M., Tuesday, February 23, 1892.

The motion was adopted and the special order continued until that hour.

President *pro tem.* Kelly took the chair.

BILLS ON THIRD READING.

On motion of Senator Harsh, House file No. 268, a bill for an act to legalize the incorporation of the town of Garden Grove, county of Decatur, and state of Iowa, was taken up.

Senator Harsh moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Bishop, Cleveland, Conaway, Dent, Engle, Everall, Finn, Jewett, Lewis, Mosnat, Reiniger, Rich, Smith of Wapello, Smith of Wright, Turner, Vale—16.

So the bill passed and the title was agreed to.

On motion of Senator Bolter, Senate file No. 132, a bill for an act to provide for the collection and tabulation of statistics of crops and live stock, with report of committee recommending that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bolter moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bolter, Chantry, Conaway, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Yeomans—35.

The nays were :

None.

Absent or not voting :

Senators Bishop, Brower, Cleveland, Dent, Engle, Everall, Jewett, Lewis, Mosnat, Rich, Smith of Wapello, Smith of Wright, Terry, Turner, Vale.—15.

So the bill passed and the title was agreed to.

On motion of Senator Smith of Butler, House file No. 69, a bill for an act legalizing the acts of the incorporated town of Greene, Butler county, Iowa, with report of committee recommending that the bill do pass was taken up, considered and the report of the committee was adopted.

Senator Smith of Butler, moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelley, Kent, McCall, Mattoon, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Bishop, Cleveland, Dent, Engle, Everall, Groneweg, Jewett, Lewis, Mack, Mosnat, Oleson, Rich, Smith of Wapello, Smith of Wright, Vale—15.

So the bill passed and the title was agreed to.

On motion of Senator Bailey, Senate file No. 83, a bill for an act to amend section 1, of chapter 17, of the laws of the Twenty-second General Assembly, relating to funding outstanding indebtedness of cities, with report of committee recommending that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bailey moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, McCall, Mattoon, Mosnat, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry—34.

The nays were:

None.

Absent or not voting:

Senators Bishop, Cleveland, Dent, Engle, Everall, Groneweg, Jewett, Lewis, Mack, Oleson, Rich, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—16.

So the bill passed and the title was agreed.

The following pairs were announced: Senators, Bishop with Perkins; Perry with Turner; Kent with Lewis; Gatch with Rich; Mack with Mosnat; Oleson with Andrews; Green with Hager; Gardiner with Palmer; Smith, of Wapello, with Reynolds, all until Tuesday; February 23, 1892.

Leave of absence was granted Senators Jewett and Bishop, until Tuesday, February 23, 1892.

Senator Parrott moved that when the Senate adjourn that it do adjourn until Tuesday, February 23, at 10 o'clock, A. M.

Carried.

Senator Bolter moved to reconsider the vote by which the Senate adjourned until Tuesday at 10 o'clock A. M.

Senator Parrott moved that the hour of adjournment be extended ten minutes.

Carried.

On the question to reconsider the vote by which the Senate adjourned until Tuesday, next, the yeas and nays were demanded.

The yeas were :

Senators Bailey, Bolter, Chantry, Conaway, Dodge, Everall, Funk, Gobble, Hurst, Kelly, Mattoon, Perkins, Reynolds, Schmidt—14.

The nays were :

Senators Andrews, Brower, Finn, Gatch, Green, Harmon, Harsh, Jamison, Kent, McCall, Mosnat, Palmer, Parrott, Perry, Reiniger, Shields, Smith of Butler, Stewart, Terry, Yeomans—20.

Absent or not voting :

Senators Bishop, Cleveland, Dent, Engle, Gardiner, Groneweg, Jewett, Hager, Lewis, Mack, Oleson, Rich, Smith of Wapello, Smith of Wright, Turner, Vale—16.

So the motion to reconsider was lost.

HOUSE MESSAGES.

House file No. 73, a bill for an act amending sections 11 and 12 of chapter 14, of the laws of the Twenty-third General Assembly.

Read first and second times and referred to the Committee on Cities and Towns.

House file No. 103, substitute for House file No. 40, a bill for an act

amending chapter 85, of the acts of the Twenty-second General Assembly.

Read first and second times and referred to the Committee on Judiciary.

House file No. 172, a bill for an act to amend section 2 of chapter 156, of the laws of the Seventeenth General Assembly, relative to the protection of game.

Read first and second times and referred to the Committee on Fish and Game.

House file No. 181, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 26 of the laws of the Twenty-third General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Read first and second times and referred to the Committee on Judiciary.

House file No. 7, a bill for an act to amend section 121 of the Code, relative to proposals for stationery and paper.

Read first and second times and referred to the Committee on Judiciary.

House file No. 59, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charters.

Read first and second times and referred to the Committee on Cities and Towns.

House file No. 225, a bill for an act to punish the crime of sodomy.

Read first and second times and referred to Committee on Judiciary.

The Journals of the 17th, 18th and 19th were corrected and approved.

Senate adjourned until Tuesday, February 23d, at 10 A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 23, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. Joseph Boyd, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Vale presented petitions of J. S. McKenney, H. C. Raney, Calvin Snook, president of School Board, Prof. C. Derby, Prof. R. A. Harkness, Mrs. H. J. McCord and others, school officers, teachers and parents, of Fairfield, Iowa, asking for the prohibition of the sale or gift of tobacco to children under 16 years of age.

Referred to Committee on Suppression of Intemperance.

Leave granted to withdraw the above petitions.

Senator Funk presented petition of citizens of Palo Alto City favoring the "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Funk presented petition of farmers of Clay county favoring appropriations of money for farmers' institutes and for State uniformity of text books.

Referred to Committee on Schools.

Senator Funk presented petition of citizens of Palo Alto county favoring a revision of the revenue laws and other matters.

Referred to Committee on Federal Relations.

Senator Funk presented remonstrance of Algona Grange No. 1684, against appropriation of over \$100,000.00 for the world's fair.

Referred to Committee on Appropriations.

Senator Parrott presented petition of F. O'Connor and thirty-three other citizens of Waterloo, Iowa, asking that railroad companies be compelled to use automatic and power brakes for the protection of railway employes and the traveling public.

Referred to Committee on Railways.

Senator Andrews presented petition of Samuel Lee and other members of L. B. Beardsley Lodge, No. 86, Brotherhood of Railroad Trainmen, Perry, Iowa, to empower the Railroad Commissioners with

authority to compel all railroad companies to use automatic air and power brakes on their lines in Iowa.

Referred to Committee on Railways.

Senator Bishop presented petition of citizens of Sioux county favoring the erection of cottages at Soldiers' Home, at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Harmon presented petition of Ward White and others of Delaware county, favoring the erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Harmon presented petition of W. W. Palmer and fourteen others of Van Wicke, Iowa, asking for the passage of Senate file No. 152.

Referred to Committee on Fish and Game.

Senator Harmon presented petition of J. T. Reynolds and thirteen others of Creston, Iowa, asking railway companies to use air brakes.

Referred to Committee on Railways.

Senator Harmon presented petition of citizens of Delaware county, favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Gobble presented petition of Shelby Norman Post, G. A. R., No. 231, protesting against soldiers' monument and in favor of hospitals and cottages at Iowa Soldiers' Home.

Referred to Committee on Military.

Senator Reiniger presented petition of 145 members of Womans' Relief Corps, New Hampton, Iowa, in favor of the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator McCall presented petition of citizens of Story county, favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Smith of Wapello, presented petition of citizens of Wapello county, favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Turner presented petition of citizens of Marshall county favoring revision of revenue laws and other matters.

Referred to Committee on Federal Relations.

Senator Smith of Butler, presented petition of citizens of Butler county favoring passage of "Conger Lard Bill" and the "Option Bill".

Referred to Committee on Federal Relations.

Senator Smith, of Butler, presented petition of citizens of Butler county, favoring revision of revenue laws and other matters.

Referred to Committee on Federal Relations.

Senator Turner presented petition of citizens of Marshall county favoring "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

Senator Schmidt presented petition of P. M. Lattig and twenty-four other citizens of Scott county, favoring revision of revenue laws and other matters.

Referred to Committee on Ways and Means.

Senator Brower presented petition of J. W. McKenzie Post G. A. R., Algona, Iowa, favoring the erection of cottages at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Reynolds presented petitions of miners and others, asking for the passage of Senate file No. 15, Senate file No. 50, Senate file No. 9, signed by 37 of Polk county, 40 of Angus, Iowa, 43 of Mahaska county, 67 of Marshall county, 78 of Flagler, Iowa; 109 of Beacon, Iowa; 80 of Dunreath, Iowa; 81 Knoxville Junction and Fishville; 217, Mystic, Iowa; 49, Foster, Iowa; 110, Brazil, Iowa; 139, Oswalt, Iowa; 26, Douglass township, Appanoose county; 28, Iowa county; 53, Seymour, Iowa.

Referred to Committee on Labor.

INTRODUCTION OF BILLS.

By Senator Gatch, Senate file No. 286, a bill for an act concerning acknowledgements of deeds and other instruments executed in foreign countries.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kent, Senate file No. 287, a bill for an act providing for the support of the Iowa Weather and Crop Service, and the publication of an increased number of copies of the Monthly Review.

Read first and second times and referred to the Committee on Appropriations.

By Senator Perkins, Senate file No. 288, a bill for an act to amend section 4098 of the Code, relating to the punishment for the crime of libel.

Read first and second times and referred to the Committee on Judiciary.

By Senator Perry, Senate file No. 289, a bill for an act to provide

for use of a uniform screen at coal mines, for bi-weekly payments of coal miners and for other purposes and to punish violations of this act.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Reynolds, Senate file No. 290, a bill for an act to amend section 7 chapter 21, laws of the Twentieth General Assembly, relating to the mapping of mines.

Read first and second times and referred to the Committee on Mines and Mining.

By Senator Shields, Senate file No. 291, a bill for an act to repeal chapter 32, laws of the Twenty-second General Assembly, entitled an act to authorize certain cities to require the erection and construction of viaducts over or under railroads in public streets and to provide compensation to owners of property dwelling on such streets and to enact a substitute therefor.

Read first and second times and referred to the Committee on Railways.

By Senator Dodge, Senate file No. 292, a bill for an act relative to organization of electric light companies.

Read first and second times and referred to the Committee on Labor.

REPORT OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 148, a bill for an act to amend section 326 of the Code of Iowa, in reference to the terms of county auditor and county treasurer, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 127, a bill for an act to amend section 589 of the Code, in reference to the election of county recorder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 233, a bill for an act to amend section 2223 of the Code, in relation to divorce, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 164, a bill for an act to amend the law relating to conspiracy, and to amend section 4087 of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 179, a bill for an act to amend section 203 of the Code, as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of clerks of courts to Secretary of State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 84, a bill for an act amending chapter 134, acts of the Twenty-first General Assembly, increasing the number of judges in the Fourth judicial district, and creating the Nineteenth judicial district and providing a judge therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

Strike out of section 1 all after the word "amended" in the second line to the word "by" in the third line.

Amend section 3 to read as follows:

SEC. 3. The regular term of the district judge provided for in the nineteenth judicial district shall commence on the first Monday of January, 1893, and he shall be elected at the general election in 1892, and every fourth year thereafter.

Amend section 4 to read as follows:

SEC. 4. The office of district judge in said district, created by this act, shall be filled by appointment by the governor on or before June 1, 1892. The person so appointed shall hold office until the first Monday in January, 1893, and until his successor is elected and qualified.

Amend by striking out section 5 and inserting in lieu thereof the following:

SEC. 5. As soon as practicable after the appointment, herein provided for, the said judge shall determine the time when and the place where court shall be held in said district during the remainder of the year 1892, and for the year 1893, in accordance with section 6, chapter 134, acts of the Twenty-first General Assembly, and notice thereof shall be given as now provided by law.

And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 175, a bill for an act to provide for the intervention by the State in certain proceedings and suits and to provide a method of procedure, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

On motion the special order was deferred until 10:45 o'clock A. M., at which time the special order, being the further consideration of Senate file No. 1, was resumed.

Senator Schmidt gave notice that Senate file No. 1 would be called up to-morrow morning at 10:30 o'clock for final action, and moved that the final consideration of the bill be set for that hour.

The motion prevailed, and the further consideration of the special order was suspended until 10:30 o'clock A. M. to-morrow.

President *pro tem* Kelly took the chair.

BILLS ON THIRD READING.

On motion of Senator Reiniger, joint resolution No. 13, a joint resolution to accept the sum appropriated by Congress to the State to refund the direct war tax upon the trusts and conditions specified by the act, with report of the committee recommending that the joint resolution do pass, was taken up, considered, and the report of the committee was adopted.

Senator Reiniger moved that the rule be suspended, and the joint resolution be considered, engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Gatch, Mosnat, Smith of Wright.

So the joint resolution passed and the title was agreed to.

On motion of Senator Stewart, House file No. 140, a bill for an act to legalize the extension of the limits of Colfax, Iowa, was taken up.

Senator Stewart moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

Senator Smith of Wapello, moved to amend by having the bill re-committed to the Committee on Judiciary.

The motion to amend prevailed, and the bill was re-committed to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 140, a bill for an act legalizing the extension of the corporate limits of Colfax, Iowa.

House file No. 258, a bill legalizing the incorporation, ordinances and acts of the town council of Hospers, Sioux county, Iowa.

House file No. 67, a bill amending section 2432 of the Code of Iowa.

House file No. 209, a bill legalizing the electric light plant at Knoxville, Iowa.

CHARLES BEVERLY, *Chief Clerk.*

HOUSE BILLS.

House file No. 67, a bill for an act to amend section 1560, Code of 1873, relating to exemptions of fire companies.

Read first and second times and referred to the Committee on Judiciary.

House file No. 209, a bill for an act legalizing the electric light plant of the city of Knoxville, Iowa, and the ordinances authorizing its establishment, and the contracts for lighting the streets of said city.

Read first and second times and referred to the Committee on Judiciary.

House file No. 258, a bill for an act legalizing the incorporation, ordinances, and the acts of the town council and town officers of Hospers, in the county of Sioux and state of Iowa.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Reiniger the resolution in relation to instructing the Appropriation Committee to report no extraordinary appropriation, was taken up and considered.

Senator Gatch moved to refer the resolution to the Committee on Ways and Means.

On motion of Senator Gardiner the time of adjournment was extended ten minutes.

Pending discussion on the resolution, the hour having arrived, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER.
DES MOINES, IOWA, Wednesday, February 24, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding

Prayer by Rev. B. F. W. Cozier, of Colfax, Iowa.

PETITIONS AND MEMORIALS.

Senator Bolter presented petition of 24 citizens of New Market, Iowa, asking passage of Senate file No. 9, providing for free employment office.

Referred to Committee on Labor.

Senator Bishop presented petition of citizens of Sibley, Osceola county, Iowa, favoring the "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Bishop presented petition of citizens of Osceola county, Iowa, favoring revision of revenue laws and other measures.

Referred to Committee on Ways and Means.

Senator Bishop presented petition of citizens of Osceola county, Iowa, favoring the "Conger Lard Bill."

Referred to Committee on Federal Relations.

Senator Smith, of Wright, presented petition of twenty-one voters of Wright county, asking for legislation relative to promissory notes; favoring Australian ballot law, extermination of wolves; and the election of United States Senators by a direct vote of the people.

Referred to Committee on Federal Relations.

Senator McCall presented petition of citizens of Story county, favoring erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Smith of Wright, presented petition of fifty-nine voters of Hardin county, asking that homes be provided at Marshalltown, Iowa, for soldiers' families.

Referred to Committee on Military.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution in which the concurrence of the Senate is

asked, relative to the appointment of a joint committee fixing the time for final adjournment of this General Assembly.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 226, substitute for House file No. 35, amending section 1790 of the school laws of Iowa.

House file No. 23, amending chapter 15 of the Twenty-third General Assembly.

House file No. 79, legalizing the sale of certain lands in Lucas county, Iowa.

House file No. 47, amending section 1752, Code of 1873.

CHAS. BEVERLY, *Chief Clerk*.

Senator Jamison introduced the following joint resolution:

JOINT RESOLUTION NO. 15.

Be it resolved by the General Assembly of the State of Iowa, That the following amendments to the Constitution of the State of Iowa be and the same are hereby proposed:

First, Strike out the word male in section 1, article 2, of said Constitution.

Second, Strike out the word male in section 4, article 3, of said Constitution.

Resolved further, That the foregoing proposed amendments to the said Constitution be and the same are hereby referred to the General Assembly to be chosen at the next general election for that purpose.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Conaway, Senate file No. 293, a bill for an act to repeal section 13, chapter 21, laws of the Twentieth General Assembly, and enact the following as a substitute therefor.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Mosnat, Senate file No. 294, a bill for an act to provide, furnish and maintain necessary buildings for the Iowa Agricultural College, equip its departments and provide for the dissemination of information emanating from the college and experiment station connected therewith.

Read first and second times and referred to Committee on Ways and Means.

By Senator Shields, Senate file No. 295, a bill for an act to prevent the destruction of food fishes and to prohibit the use of seines, nets, explosives and other devices, except hook and line and bait nets.

Read first and second times and referred to Committee on Fish and Game.

By Senator Terry, by request, Senate file No. 296, a bill for an act repealing that part of section 1, chapter 16, of the laws of the Twenty-second General Assembly, relating to the bridge fund and

enacting in lieu thereof a law giving the board of supervisors of the several counties of the state full control of the levying and expending of the bridge fund.

Read first and second times and referred to Committee on Highways.

By Senator Brower, Senate file No. 297, a bill for an act to amend chapter 159, of the acts of the Twentieth General Assembly; to repeal section 4 thereof, and to enact a substitute therefor.

Read first and second times and referred to Committee on Railways.

By Senator Schmidt, by request, Senate file No. 298, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa, to equip all their freight cars with proper, efficient and safety hand-brakes, and prescribing penalties for failure to comply with the provisions thereof.

Read first and second times and referred to Committee on Railways.

By Senator Reiniger, Senate file No. 299, a bill for an act to amend sections 2623 and 2624 of the Code, relating to unknown defendants.

Read first and second times and referred to Committee on Judiciary.

By Senator Gobble, Senate file No. 300, a bill for an act to regulate the sale and manufacture and sale of spirituous liquors by a vote of the qualified electors of any county.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Senator Yeomans, Senate file No. 301, a bill for an act authorizing cities having a population of one thousand inhabitants or more to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Hager, Senate file No. 302, a bill for an act legalizing the action of the school board of the independent district of Fontanelle, Adair county, Iowa, in a certain case.

Read first and second times and referred to Committee on Judiciary.

By Senator Hager, Senate file No. 303, a bill for an act to legalize the action of the trustees of Jackson township, Adair county, Iowa, in a certain case.

Read first and second times and referred to Committee on Judiciary.

By Senator Mack, Senate file No. 304, a bill for an act to amend chapter 62. of the acts of the Twenty-second General Assembly, in relation to change of boundary lines of independent school districts.

Read first and second times and referred to Committee on Schools.

REPORTS OF STANDING COMMITTEES.

Senator Mosnat, from the Committee on Claims, submitted the following report :

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 5, a bill for an act to appropriate money to pay Lieutenant Rufus Goodnough, for services rendered the state of Iowa during the year 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. MOSNAT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 6, a bill for an act to appropriate money to pay Captain Washington Galland, for services rendered the State of Iowa, during the war of the rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a substitute for said bill, with the recommendation that the substitute do pass.

J. J. MOSNAT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell and Co. for preparing and distributing five thousand copies of Iowa resources and industries at the World's Fair in 1885, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments, that the words three thousand eight hundred and eight dollars be stricken out, and the words twenty-five hundred dollars be inserted, and that the bill as amended do pass.

J. J. MOSNAT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 215, a bill for an act appropriating \$87.20 to defray the expenses of a delegate appointed by the Governor to attend the Beef and Pork combine convention at St. Louis, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the same do pass.

J. J. MOSNAT *Chairman.*

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 181, a bill for an act to amend sections 289 and 290 of the Code, as amended by chapter 26 of the laws of the Twenty-third General Assembly, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the word "Feb.

ruary" where it occurs in sections 1 and 2, and inserting in lieu thereof the word April," and when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 232, a bill for an act to legalize the official action of R. J. W. Bloom, a notary public of Hancock county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 299, a bill for an act to legalize revised ordinances of the town of Adel, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 154, a bill for an act to regulate banking in the state of Iowa, and to provide for the examination of private banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to Committee on Banks.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT — Your Committee on Public Health, to whom was referred Senate file No. 32, a bill for an act to prevent the pollution of rivers and sources of water supply, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 105, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, an act to create a State Board of Health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title of the bill be amended by striking out all the words after the word "Assembly" and insert "and more definitely define the powers of the State Board of Health," and that when so amended it do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 144, a bill for an act to amend section twelve, chapter 151, acts of the Eighteenth General Assembly in relation to the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Smith, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined:

Joint resolution No. 14, a joint resolution and memorial to Congress, relating to compound lard.

Also, Senate file No. 76, a bill for an act to legalize the incorporation of the town of Shelby, Shelby county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town.

Also, Senate file No. 115, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Also, Senate file No. 124, a bill for an act to amend chapter 171, acts of the Nineteenth General Assembly, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 81, a bill for an act to protect persons and property from danger from steam engines on public highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Insert in line 3, after the word "meet," "or are overtaken by;" strike out in line 3 "going in an opposite direction." and insert in lieu thereof the words, "who desire to pass;" strike out in line 7 the word "driver," and insert the words "person in charge;" insert in line 11, after the word "advance," the words, "and the person in charge of said engine."

And when so amended that it do pass.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 59, a bill for an act to repeal chapter 59 of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that, owing to the said bill having and containing prac-

tically the same features as Senate file No. 49, and embodying the same subject matter, the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 67, a bill for an act imposing a tax on corporate franchises and shares of stock, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 126, a bill for an act to examine boards of supervisors of the various counties, to ascertain the amount of school fund belonging to the counties remaining unloaned on the first day of regular session, and to have a statement thereof, published with the proceedings of said board, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that in view of the fact that Senator Lewis the author of the bill, recommending that no action be taken on the bill, your Committee therefore recommend that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 18, a bill for an act to provide for the establishment of a board of supervision of State institutions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

First. By inserting after the word "supervision," in the first line of the printed bill, the words, "and control."

Second. By striking out of the second line the words "two of whom shall be expert bookkeepers and accountants."

Third. By striking out of the sixth and seventh lines the words "one of whom shall be one of the two expert accountants and bookkeepers."

Fourth. By inserting in the eighth line after the words "choose one of" the words, their own number, and by striking out of the same line thereof the word "said," and inserting at the beginning of the ninth line the words "for secretary who shall be an," and by striking out of the ninth line the letter "s" from the words accountants and bookkeepers and by also striking out from the same line the words "to act as secretary of the board."

Fifth. By striking out from the eleventh and twelfth lines the words, "In case of an equal division upon any question before said board shall cast the deciding vote thereon 'but.'"

Sixth. By inserting the word "blanks" after the word stationery in the second line of section two.

Seventh. By striking out of the first and second lines of section three the words "one thousand" and inserting in lieu thereof the word "fifteen hundred."

Eighth. By striking out of the second line in section four the word "eight" and inserting in lieu thereof the word "five."

Ninth. By inserting in the 43d line paragraph 8 of section 6, after the word "upon" the word "any."

Tenth. By striking out all of section 9.

Eleventh. By changing section 10 and numbering the same (9) and by striking out of lines three and four the words "nor shall any trustees or other officers of any of the institutions embraced in this act be eligible to the office of supervisor hereby created."

Twelfth. By changing section (11) and numbering the same 10 and by striking out of the first and second lines the words "nor shall any one of them reside in the county wherein any such State institution is located."

Thirteenth. By changing section 12 and numbering same 11, and by striking out of the fourth and fifth lines the words, "corporation, organization or association."

Fourteenth. By adding the following three sections, to be numbered 12, 13 and 14 respectively.

SEC. 12. The boards of trustees of the industrial schools at Eldora, Iowa, and Mitchellville, Iowa; of the Orphans' Home at Davenport, Iowa; of the hospitals for the insane at Mount Pleasant, Iowa, Independence, Iowa, and Clarinda, Iowa; of the Institution for Feeble-Minded at Glenwood, Iowa; of the Institution for Deaf and Dumb, at Council Bluffs, Iowa; of the College for the Blind, at Vinton, Iowa; and the Commissioners of the Soldiers' Home, at Marshalltown, Iowa; and of the Industrial Home for the Blind, at Knoxville, Iowa, shall on the first day of March, 1894, by virtue of this act, be abolished and cease, for any purpose to have further legal existence, and thereafter said board of supervision and control herein provided for shall be invested with all of the powers and authority, and shall perform all of the duties now exercised and performed by said boards so to be abolished, respectively.

SEC. 13. That on the 1st day of March, 1894, the number of the members of the Board of Regents of the State University at Iowa City, Iowa; of the Board of Trustees of the Agricultural College at Ames, Iowa; and of the Board of Directors of the State Normal School at Cedar Falls, Iowa, shall be so reduced that thereafter the said Board of Regents shall consist of five members only; said Board of Trustees of five members only, and said Board of Directors of three members only, and the terms of office of all of the members of each of said boards as now constituted, shall terminate on said 1st day of March, 1894, and the General Assembly shall then, or as soon thereafter as practicable, elect a Board of Regents consisting of five members for said university; a board of trustees consisting of five members for said Agricultural College, and a board of directors consisting of three members for said Normal School, which said boards, so to be elected, shall respectively thereafter exercise all of the powers and perform all of the duties now exercised and performed by the respective boards to be by them succeeded.

SEC. 14. This act being deemed of immediate importance, shall take effect and be in force from and after the publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

And when the bill is so amended that the same do pass.

WM. GRONEWEG, *Chairman.*

BILLS ON THIRD READING.

On motion of Senator Gardiner, Senate file No. 165, a bill for an act legalizing the organization of the city of Clinton, in the county of Clinton and state of Iowa, as a city of the first class, and the election of its officers, and legalizing the ordinances and resolutions passed and adopted by the city council of said city and the acts of said city council and officers of said city, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the substitute was read first and second times.

Senator Reynolds and Senator Smith of Wapello, announced that they were paired upon all political questions, except the Schmidt bill, until Thursday morning.

Senator Reynolds was excused for to-day.

On motion of Senator Groneweg, there was ordered printed three hundred copies of the amended copy of Senate file No. 18.

The special order was resumed at 10:30 o'clock.

On motion of Senator Schmidt, Senate file No. 1, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations with report of Committee recommending amendments and as amended that it do pass was taken up.

The question being the substitution of the minority report from the Committee on Suppression of Intemperance for the majority report of said Committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale.
—23.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans.—25

Absent or not voting:

Senators Engle, Reynolds.

So the minority report was lost.

Senator Gatch explained his vote as follows:

MR. PRESIDENT—While I am in favor of the indefinite postponement of the bill and shall therefore vote "aye," I am not satisfied that all of the statements contained in the minority are correct, and do not want my vote taken as assenting to their correctness.

C. H. GATCH.

Senator Yeomans moved the previous question.

The question now being, "Shall the previous question be seconded?"

The yeas were:

Senators Bishop, Brower, Cleveland, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Kent, Mattoon, Oleson, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Hager, Harmon, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Smith of Wright, Vale—17.

Absent or not voting:

Senators Bolter, Engle, Mosnat, Reynolds, Turner—5.

So the previous question was ordered.

Senator Reiniger called for a division of the question under rule 12.

The question now being upon the amendment in the first section of Senate file No. 1, as recommended by a majority of the Committee on Suppression of Intemperance, being to insert the word "and" in place of the word "or" in the sixth line, so as to read "malt and vinous liquors," instead of "malt or vinous liquors."

On this the yeas and nays were demanded.

The yeas were :

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

The nays were :

Senators Andrews, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale—22.

Absent or not voting :

Senators Bailey, Engle, Reynolds.

So the bill amendment was adopted.

The question now being, "Shall the report of the committee be adopted?"

Carried.

Senator Schmidt moved that the rules be suspended, and the bill be considered engrossed and read a third time to-morrow.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat,

Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yoemans—25.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale—23.

Absent or not voting:

Senators Engle, Reynolds—2.

So the bill was ordered engrossed.

Senator Kelly moved to reconsider the vote by which the bill was ordered engrossed.

Carried.

Senator Kelly moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time now.

Pending the reading of the bill, on motion the hour of adjournment was deferred ten minutes.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—25.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale—23.

Absent or not voting:

Senators Engle and Reynolds.

Having failed to receive a constitutional majority the bill was declared lost.

On motion of Senator Dent, House file No. 181, a bill for an act to amend sections 289 and 290 of the Code of 1873 as amended by chapter 26 of the laws of the Twenty-third General Assembly of the state of Iowa relating to the bonding of county indebtedness having passed the House was taken up considered.

Senator Dent moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

Senator Reiniger—1.

Absent or not voting:

Senators Andrews, Brower, Conaway, Engle, Finn, Reynolds, Shields—7.

So the bill passed and the title was agreed to.

On motion of Senator Bailey relative to requiring Special Committee on Columbian Exposition to report on or before February 25, 1892, was indefinitely postponed.

On motion of Senator Reiniger, House concurrent resolution relative to Governor receiving direct war tax from United States, with report of committee recommending indefinite postponement was taken up and report of committee concurred in.

On motion of Senator Bailey the petition of citizens of Worth county asking passage of resolution favoring the passage of "Conger Lard Bill," and also the "Option Bill," was referred to the Committee on Federal Relations.

On motion of Senator Gatch, Senate file No. 20, a bill for an act to promote historical collections in the Capitol of the State, was referred to the Committee on Appropriations.

Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, February 25, 1892. }

Senate met in regular session, at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Harmon presented petition of Thos. C. Nelson and eighty-five other citizens of Buchanan county in reference to cottages at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Reiniger presented petition of citizens of Chickasaw county favoring the passage of the "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

Senator Mack presented sixteen petitions of citizens of Iowa, asking that the Iowa exhibit at the Columbian Exposition be closed on Sundays.

Referred to Committee on Columbian Exposition.

Senator Cleveland presented petition of Mrs. A. G. Colby and twenty-two other women of Grant township, Cass county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of H. S. Lattig and twenty other citizens of Grant township, Cass county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petitions of Mrs. Ella Campbell, Mrs. R. J. Savery, Mrs. M. E. Worthing and 60 other non-voters of Atlantic, Iowa, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of Alfred Green and sixteen other voters of Atlantic, Iowa, favoring the retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of Mrs. J. B. Turner and ninety others, non-voters of Anita, Cass county, Iowa, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of H. A. Fowler and sixty-four voters of Anita, Cass county, Iowa, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harsh presented petition of six physicians and eight registered pharmacists of Creston, Union county, Iowa, against passage of House file No. 269 and Senate file No. 53.

Referred to Committee on Pharmacy.

Senator Bishop presented petition of citizens of O'Brien county, favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Smith of Wright, presented petition of citizens of Clarion, Wright county, Iowa, favoring passage of "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

Senator Gobble presented petition of Womans' Monument Association and 208 citizens of Muscatine, Iowa, asking the erection of a Iowa soldiers' monument.

Referred to Committee on Military.

Senator Palmer presented petition of S. W. Garrin and 169 other citizens of Henry county, Iowa, favoring the erection of a soldiers' monument.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Gardiner, Senate file No. 305, a bill for an act legalizing an ordinance of the city of Clinton, being chapter 163, and the authority therein and thereby granted to the Clinton Water Works Company, to maintain, continue, improve and extend its water works in said city.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Harmon, by request, Senate file No. 306, a bill for an act authorizing judgment creditors to abandon special executions in certain cases, with power to order general executions.

Read first and second times and referred to Committee on Judiciary.

By Senator Kent, Senate file No. 307, a bill for an act to amend chapter 18 of the laws of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Railways.

By Senator Palmer, Senate file No. 308, a bill for an act requiring

United States flags to be placed upon all school houses or school house grounds in the State.

Read first and second times and referred to Committee on Military.

By Senator Reiniger, by request, Senate file No. 309, a bill for an act to provide for and regulate the administration of trusts by trust companies.

Read first and second times and referred to Committee on Judiciary.

By Senator Yeomans, by request, Senate file No. 310, a bill for an act to more clearly define the right of the feeder of cattle and other live stock, on pasture or otherwise, to the possession of the live stock until paid therefore.

Read first and second times and referred to Committee on Agriculture.

By Senator Shields, Senate file No. 311, a bill for an act to repeal section 9, chapter 60, of the laws of the Eighteenth General Assembly and to enact a substitute therefor, fixing the salary of the reporter of the Supreme Court and the manner of the payment thereof, and providing a clerk for said officer and fixing his salary and the manner in which the same shall be paid.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 312, a bill for an act to regulate the sale of spirituous, malt and vinous liquors within the State of Iowa.

Read first and second times and referred to Committee on Suppression of Intemperance.

MESSAGE FROM THE HOUSE.

The following Message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bill in which the concurrence of the Senate is asked:

House file No. 11, a bill for an act to repeal section 912, Title VI., chapter three (3) of the Code of 1873, as amended by chapter 155, acts of the Seventeenth General Assembly and enact a substitute therefore.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution in which the concurrence of the Senate is asked.

Relative to the time of holding a joint convention of the two Houses of the General Assembly for the purpose of electing officers for the various State Institutions.

CHAS. BEVERLY, *Chief Clerk,*

Per SCOTT, *1st Assistant.*

Senator Kelly offered the following resolution:

Resolved, That the Committee on Compensation of Public Officers is hereby requested to investigate and report to this Senate as soon as possible, whether or

not any of the employes of the Senate have, at any time, during this session, received for their services more than they are entitled to.

Read and referred to Committee on Compensation of Public Officers.

Senator Perry moved that 300 copies of Senate file No. 289 be ordered printed.

Carried.

HOUSE MESSAGES.

Resolved, That a committee of four be appointed to act in conjunction with a like committee from the Senate, to take into consideration and recommend a time for final adjournment of the two Houses.

Referred to Committee on Rules.

Senator Kelly moved the adoption of the following House concurrent resolution:

Resolved, by the House, the Senate concurring, That the two Houses meet in joint convention on Thursday, March 3, 1892, at 7:30 P. M., for the purpose electing officers for the various state institutions.

Adopted.

BILLS ON SECOND READING.

On motion of Senator Gardiner, Senate file No. 165 was taken up, the rules suspended, was considered engrossed, and read a third time. It was then put upon its passage.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—47.

The nays were :

None.

Absent or not voting :

Senators Engle, Mattoon, Yeomans—3.

So the bill passed and the title was agreed to.

On motion of Senator Andrews, House file No. 299, a bill for an act to legalize the revised ordinances of 1881, and ordinances numbered from 27, 41, both inclusive, of the town of Adel, Dallas county, Iowa, and all resolutions passed and official acts done by the town council of the said town, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Mr. Andrews moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Dent, Engle, Gardiner, Gatch, Kelly, Mattoon, Mosnat, Reiniger, Shields—9.

So the bill passed and the title was agreed to.

On motion of Senator Brower, Senate file No. 232, a bill for an act to legalize the official action of R. J. W. Bloom, a notary public of Hancock county with report of committee, recommending that the bill do pass, was taken up, considered, and the report of the Committee was adopted.

Senator Brower moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Dent, Dodge, Everall, Finn, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—42.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Gardiner, Gatch, Kent, Mattoon, Mosnat, Yeomans—8.

So the bill passed and the title was agreed to.

On motion of Senator Perkins, Senate file No. 33, a bill for an act to provide for holding farmers' institutes in the State of Iowa and providing for the expense therefor, with report of committee recom-

mending a substitute, and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Perkins the further consideration of the substitute bill for Senate file No. 33, was made a special order for 10:30 o'clock to-morrow morning.

President *Pro tem* Kelly took the chair.

On motion of Senator McCall Senate file No. 110, a bill for an act to render privileged confidential communications to editors, publishers and reporters of newspapers, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 199, a bill for an act to amend section 853, chapter 1, title VI, of the Code, relating to the lien of taxes between vendor and vendee, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended, that it do pass: That the comma “,” which appears after the word “goods” which occurs as the third word in the fourth line of Section 1, and the word “wares” which occurs as the fourth word in the fourth line of Section 1, be stricken out.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Cities and Towns, to whom was referred Senate file No. 71, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reason that House file No. 59, covering the same ground, has been reported favorably.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 72, a bill for an act amending sections 11 and 12, of chapter 14, of the laws of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that House file No. 73, covering the same ground, has been reported favorably.

J. M. GOBBLE, *Chairman*.

Ordered passed file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 153, a bill for an act to amend section 645, chapter 10, of the Code, in relation to issuing bonds for improvements in cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 194, a bill for an act to establish a Board of Park Commissioners in certain cities of the first class, defining their powers, and prescribing their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 241, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Cities and Towns, to whom was referred Senate file No. 285, a bill for an act to amend chapter 74, of the laws of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred House file No. 73, a bill for an act amending sections 11 and 12, of chapter 14, of the laws of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended, that it do pass. Th the words "the entire property" be inserted after the word "or" which occurs as the thlrthieth word in the second line of Section 2.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 151, a bill for an act to amend section 1072 of the Code, relating to the hours of opening and closing the polls at all general elections, beg leave to report that they have had the same under consideration, an have instructed me to report the same back to the Senate with the recommendation that it be amended as follows and when so amended, that it do pass.

That the figure "7" which occurs as the seventh word in line three, of section 1, and again as the sixteenth word in line five of section 1, be stricken out and the figure "8" be inserted in lieu thereof.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 59, a bill for an act to amend chapter 54, of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made, and when amended that it do pass:

That the word "said," which occurs as the thirteenth word in the first line of section 1, be stricken out and that the words, "54 of the Sixteenth General Assembly" be inserted after the word "chapter," which occurs as the fourteenth word in the first line of section 1.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 189, a bill for an act to amend section 4299 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 178, a bill for an act to amend Sections 289 and 290 of the Code, as amended by the laws of the Twenty-third General Assembly, relating to the bonding of county indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that a similar bill having passed the House has been reported back to the Senate by your committee with the recommendation that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 231, a bill for an act to legalize the official acts of C. R. Wood, a notary public of Hancock county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg,

Benton county, Iowa, the election of its officers and ordinances passed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 229, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 177, a bill for an act to legalize the acts of the board of supervisors of Madison county, Iowa, in relation to funding its bonded indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 205, a bill for an act to amend section 2, of chapter 148, of the laws of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 270, a bill for an act for the registration of pedigrees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors, and providing their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the second line of section 5, after the word "another," the following words: "A distance exceeding twenty miles;" and that when so amended, it do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT--Your Committee on Agriculture, to whom was referred, Senate file No. 112, a bill for an act to repeal section 1487, of the Code, and enact substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

First. Add the letter "s" to the word "section" in the Title.

Second. Insert "and 1488," after "1487," in the Title.

Third. Strike out the letter "a," after "enact," in the Title.

Fourth. Add the letter "s," to the word "substitute," in the Title.

Fifth. Add the letter "s," to the word "section," in the first line of section 1.

Sixth. Insert "and 1488," after "1487," in the first line of section 1.

Seventh. Strike out the word "is," and substitute the word "are," in the first line, section 1.

Eighth. Substitute the word "skin," for the word "scalp," in the second line of section 1.

Ninth. Strike out the words, "ten dollars on an adult wolf;" also the word "male," in the third line of section 1.

Tenth. Strike out the words, "or justice," and insert, "of supervisors," in the sixth line of section 1.

Eleventh. Insert the words, "or county," after the word "state," in the eighth line of section 1.

Twelfth. Add the following section: "Section 2. The person claiming the bounty shall produce such statement, together with the whole skin of the animal, to the county auditor of the county wherein such wolf, lynx, swift or wild cat had been taken and killed, and the auditor before whom such skins are produced shall destroy or deface the same, so as to prevent their use to obtain for the second time the bounty herein provided."

And that when so amended it do pass.

THOMAS RICH, *Chairman.*

Ordered passed on file.

HOUSE BILLS.

House file No. 11, a bill for an act to repeal section 912, Title VI., chapter 3, of the Code, and enact a substitute therefor.

Read first and second times and referred to Committee on Compensation of Public Officers.

Senator Cleveland offered the following amendment to the motion made by Senator Gatch, on Tuesday, to have the resolution of Senator Reiniger, relative to "requiring the Committee on Appropriations to report no extraordinary amounts," referred to the Committee on Ways and Means:

And that the Committee on Ways and Means be instructed to investigate and report to this Senate at the earliest practical day, the probable receipts and ordinary expenditures of the state for this biennial period, under a two mills levy.

Senator Finn moved to amend the amendment by adding:

Not later than ten days from this date, and before any further reports from the Committee on Appropriations are acted upon.

On motion of Senator Gatch the hour of adjournment was deferred ten minutes.

Senator Gobble moved that the time of adjournment be extended until the question now pending be disposed of.

Senator Yeomans moved to amend that the Senate do now adjourn.
Carried.

The Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 26, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

On motion of Senator Mattoon, Senate file No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing 5,000 copies of "Iowa's Resources and Industries" at the World's Fair in 1885, was taken up and referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS.

Senator Gatch presented petition of North Park Congregational church branch of Young People's Societies of Christian Endeavor, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of Des Moines Westminster Presbyterian church branch of Young People's Society of Christian Endeavor, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of Brotherhood of Trainmen, asking that Railroad Commissioners be given authority to compel railroad companies to use air-power brakes.

Referred to Committee on Railways.

Senator Gatch presented petition of 134 citizens of Polk county, favoring the erection of cottages at the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Smith of Butler, presented petition of citizens of Bremer county, favoring revision of revenue laws, and other matters.

Referred to Committee on Federal Relations.

Senator Smith of Butler, presented petition of citizens of Bremer county, favoring passage of "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

Senator Palmer presented petition of Washington County Agricultural Society, favoring liberal appropriation for the World's Fair.

Referred to Committee on Appropriations.

Senator Gatch presented petition of J. M. Joseph, Creston, Iowa, president of Farmers' Alliance and Industrial Union, and fifty-six other citizens of Union county, Iowa, against any change in the exemption laws.

Referred to Committee on Judiciary.

Senator Dodge presented petition of citizens of Middletown, Iowa, asking that the Iowa exhibit at the Columbian Exposition be closed on Sunday.

Referred to Committee on Ways and Means.

Senator Perry presented petition of members of the bar of Monroe county, favoring an additional judge in the Second judicial district.

Referred to Committee on Congressional and Judicial Districts.

Senator Smith of Wright, presented petition of voters of Hubbard, Hardin county, Iowa, favoring maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of George Paup and 73 other citizens of Harlan, Shelby county, Iowa, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented petition of Mrs. J. F. Bryant and 151 others, non-voters, of Shelby county, Iowa, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bolter presented petition of citizens of Harrison county, favoring the erection of cottages at the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Conaway presented petition of Dr. W. R. Nugent and fifteen graduated physicians and surgeons of Oskaloosa, asking the passage of Senate file No. 53.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Conaway, by request, Senate file No. 313, a bill for an act to establish a board of inspectors for steam boilers and to provide for licensing engineers of steam engines.

Read first and second times and referred to Committee on Manufactures.

By Senator Gardiner, Senate file No. 314, a bill for an act to amend chapter 16 of the acts of the Twenty-second General Assembly relating to improvements and granting additional powers to cities of the first and second class.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Reynolds, Senate file No. 315, a bill for an act to repeal sections 3513 and 3514 of the Code, relating to the jurisdiction of justices of the peace.

Read first and second times and referred to Committee on Corporations.

By Senator Terry, by request, Senate file No. 316, a bill for an act requiring county recorders before recording deeds or contracts for deeds to land, to satisfy themselves that all uncollected taxes properly assessed against and levied upon said land or any part of the same, have been paid before recording such instruments, and providing for the endorsements to be made by them on such instruments.

Read first and second times and referred to Committee on Judiciary.

By Senator Vale, Senate file No. 317, a bill for an act making appropriation for the Soldiers' Home at Marshalltown, Iowa.

Read first and second times and referred to Committee on Appropriations.

Senator Parrott introduced the following resolution and moved its adoption:

Resolved, That hereafter and until further ordered the Senate hold two sessions every Tuesday and Thursday, the afternoon sessions beginning at two o'clock, and that said sessions be devoted to bills on the calender in regular order.

Adopted.

The journals of the 20th, 23d, 24th and 25th were corrected and approved.

REPORTS OF STANDING COMMITTEES.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 260, a bill for an act to further provide for a State soldiers and sailors monument beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 203, a bill for an act to provide for building cottages for soldiers' wives at Home at Marshalltown, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass, as amended, as follows, striking out the

word "twenty" in the sixth line of the first section of the original bill and inserting "ten" in lieu thereof. Striking out the word "ten" in the fourth line, and in the eighth line of section eight and inserting in lieu thereof the word "five."

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Schmidt, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 23, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. O. SCHMIDT, *Chairman*.

Ordered passed on file.

Senator Everall, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 118, a bill for an act to repeal section 907 of the Code, and to enact a substitute, relating to publishing proceedings of boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 257, a bill for an act to make further provisions for the care of insane persons, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 261, a bill for an act to amend section 1, chapter 80, of the acts of the Twenty-third General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments: Insert the word "section" at the beginning of section 1. Strike out the last two words of section 1, viz: "farm boys," and insert in lieu thereof the words "feeble-minded males." Strike out all of section 2. And recommend their adoption, and when so amended that the bill do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 83, a bill for an act to repeal section 897 of the Code, and to enact a substitute therefor, relating to tax deeds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 87, a bill for an act to provide for the collection by suit of taxes on personal property omitted from assessment in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 47, a bill for an act to repeal section 906 of the Code of 1873, and to enact a substitute therefor in relation to the licensing of peddlers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that a substitute be offered entitled a bill for an act to amend section 906 of the Code, relating to peddlers' license, with a recommendation that the said substitute do pass.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 2, a bill for an act entitled, "An Act Relating to the Stopping of Railway Passenger Trains," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 17, a bill for an act to amend section 2, chapter 10, laws of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 233, a bill for an act to give to the district court of the State of Iowa original concurrent jurisdiction with justices of the peace in actions of forcible

entry and detainer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 101, a bill for an act to provide for attorneys' fees in certain cases, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 144, a bill for an act to legalize the acts of the council of La Porte City, Black Hawk county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 8, a bill for an act to amend section 203 of the Code, as amended by chapter 82, laws of the Twenty-second General Assembly, relative to the reports of the clerks courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 20, a bill for an act to promote historical collections in the capitol of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that with the following amendments the bill do pass:

Add after the word "direct," end of third line, section 6, printed bill: "Provided that nothing in this act shall be so construed as to exclude visitors to said rooms on Sunday afternoons during the sessions of the legislature."

And strike out section 7, and in lieu thereof insert the following:

"SEC. 7. That for the purpose of carrying out the provisions of this act, there be and is hereby appropriated from any funds in the state treasury not otherwise appropriated, the sum of seven thousand five hundred dollars annually for the present biennial period, and thereafter annually the sum of six thousand dollars. All accounts shall be audited by the executive council, after being approved by the trustees of the State Library."

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

On motion of Senator Groneweg, Senate file No. 23, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Smith, of Wapello, moved that the special order, it being the consideration of Senate file No. 33, be deferred until after the disposition of Senate file No. 23.

Carried.

Senator Gatch moved that all of Senate file No. 23, after the enacting clause be stricken out and the following be substituted therefor:

SECTION 1. That upon the presentation of a petition signed by two-fifths of the qualified electors, whose names appear on the poll books of the last preceding general election of any county within this State, to the board of supervisors of such county, requesting said board of supervisors to submit to the legal voters of said county, the question, whether or not spirituous, malt, fermented and vinous liquors may be sold or manufactured and sold therein, under the rules, restrictions and regulations of this act, if the board of supervisors of such county are satisfied that the signatures appearing upon said petition are genuine and that the signers are legal voters and *bona fide* residents of such county at the time of the presentation of said petition, it shall be the duty of said board of supervisors to order a special election in said county, at which election the question shall be whether or not permits for the sale or for the manufacture and sale, as the case may be, according to the prayer of the petition, of spirituous, malt, fermented and vinous liquors may be granted in said county.

The ballots for such election shall have printed on them, "For permits" or "Against permits," and no other question shall be voted for upon the same day; nor shall such election be held within ten days before or after any general or special election.

All elections under the provisions of this act shall be held at the same places and conducted in the same manner as is prescribed by law for general elections in this state, and shall be subject in all respects to the provisions of all laws governing general elections, so far as the same may be applicable; and only persons entitled to vote at such general elections shall be entitled to vote at elections held under the provisions of this act: Provided that a second special election shall not be held under the provisions of this act within less than three years from the time of the first election so held, and thereafter such elections shall not be held oftener than once in five years.

Notice of every such election as is herein provided for shall be given by publication for three consecutive weeks in two newspapers of opposite politics, published and of general circulation in the county in which such election is to be held, the last publication to be at least ten days prior to the date fixed for such election.

The votes at any such election, shall be canvassed by the county board of supervisors, which shall certify the result of such election to the clerk of the district court in and for the county, and all the expenses of any such election, including the cost of publication of notices, shall be paid out of the general fund of the county.

SEC. 2. Any one who shall falsely sign the name of another to any petition provided for in section one of this act, shall be deemed guilty of forgery, and upon conviction thereof shall be punished as is now provided for by law in case of conviction

for forgery; and all provisions of law relative to the bribery of voters are hereby made applicable as far as possible to the bribery of signers of the petition hereinbefore provided for.

SEC. 3. In case a majority of all the votes cast at any such election as is provided for in section one hereof, shall be in favor of the granting of permits for the sale, or the manufacture and sale—accordingly as the question shall have been submitted and voted for at said election,—of spirituous, malt, fermented and vinous liquors, permits may be granted within such county upon the conditions and subject to the rules, restrictions and regulations hereinafter provided for: Provided, that no permit authorized under the provisions of this act, shall be granted for the sale, or for the manufacture and sale of said liquors, in any township or ward which shall have cast a majority of votes against the granting of permits therefor.

SEC. 4. Applications for permits, under the provisions of this act, shall be by petition to the district court, setting forth that the applicant is of respectable character, good standing, a resident of the state, describing the premises upon which the business is to be carried on, and praying that a permit for the sale or for the manufacture and sale of spiritous, malt, fermented and vinous liquors may be granted to him; and shall be signed by the owner of the premises upon which the sale or manufacture and sale, is to be carried on, and, if in any city or incorporated town, by a majority of property owners and residents on both sides of the street on which it is to be carried on, to the distance of two hundred feet in each direction therefrom; and if outside the limits of a city or incorporated town, then by thirty resident freeholders of the precinct where it is to be carried on: Provided, that in no case shall more than one-third of the resident freeholders of such precinct be required as signers to such petition. The petition shall be filed in the office of the clerk of the district court.

SEC. 5. No action shall be taken upon any application for such permit until at least two weeks' notice thereof, stating the name of the applicant, the place where the business is proposed to be carried on; the date of the filing and the date of the hearing upon such application, has been given by publication in two newspapers of general circulation in the county in which the application is to be made.

If there shall be any objection, protest, or remonstrance in writing by any person against the granting of a permit on any such application therefor, filed as much as four days before the date of hearing, and if it shall be satisfactorily proven that the applicant has been guilty of the violation of any of the provisions of this act within the space of one year, or is of bad moral character, or is not a resident of this State, or that any former permit that may have been granted to him has been revoked for any misdemeanor against the laws of this State, then the court shall refuse to grant the permit. The proceedings on the hearing shall be governed by the same rules as are prescribed for ordinary actions.

SEC. 6. The fee for a permit for the sale or for the manufacture and sale of spirituous, malt, fermented and vinous liquors, under the provisions of this act, shall not be less than five hundred dollars per annum, and such additional sum as shall be fixed by the municipality in which such sale or manufacture and sale is to take place. In cities and incorporated towns the additional amount of the fee shall be fixed by the city or town council, and in the territory of the county outside of the cities and incorporated towns, by the board of supervisors. The city council or town council, or board of supervisors, as the case may be, shall certify to the clerk of the district court in and for the county, the additional amount of the fee fixed by either. The entire fee shall be paid into the county treasury and five hundred dollars thereof shall go into the county fund and all in excess of five hundred dollars shall be paid over to the

treasurer of the city, incorporated town or township wherein the business is to be carried on.

All permits granted under the provisions of this act shall be issued by the clerk of the district court; but no permit shall be issued until the receipt of the county treasurer for the full amount of the fee therefore, has been filed with such clerk.

Sec. 7. If the court shall order a permit to be issued to such petitioner, then the clerk of the court shall issue to the petitioner, under the seal of the court, a permit in the following form:

In the district court of the State of Iowa, in and for.....countyTerm:

In the matter of the application of.....for a permit to manufacture (or manufacture and sell as the case may be) spirituous, malt, fermented and vinous liquors at.....in.....county, state of Iowa;

Now on this day, to-wit: the.....day ofA. D. 189.., said matter coming on for hearing upon the petition, notice and proofs adduced, the court finds that said.....has complied with the requirements of the statute in such case made and provided; and further finds that said..... is a proper and competent person to receive a permit:

It is therefore ordered by the court that a permit be issued to said.....upon and subject to the following express conditions, the violation of any one of which shall be sufficient grounds for the revocation thereof, viz:

1. That said.....shall not sell or give away any spirituous, malt, fermented or vinous liquor, by himself, agent or employee, to an habitual drunkard.

2. That said...., ...shall not by himself, agent or employee, give or sell, or give away any spirituous, malt, fermented or vinous liquor to any person in a state of intoxication.

3. That said.....shall not by himself, agent or employee, sell or give away any spirituous, malt, fermented or vinous liquor to any minor or permit any other person to do so upon his premises.

4. That said.....shall close the place wherein he shall carry on business under this permit at eleven o'clock P. M., central time, and keep such place closed until six o'clock A. M. the following day.

5. The said place of business shall be closed on all public election days, whether for general or special elections, nor shall any liquors of any kind be removed therefrom during election hours on any such election day.

6. That said place of business shall be kept closed on Sunday.

7. That said business shall be wholly carried on in a single room, fronting and opening upon a public street or highway.

8. That no game or games shall be permitted on the premises, and that no adjoining or contiguous room shall be supplied with liquors of any kind from said place of business.

9. That said.....shall keep and maintain an orderly and respectable place under this permit.

10. That said.....shall annually, or until this permit shall be revoked, or said business shall be abandoned, pay over to the clerk of this court on or before the.....day of.....of each and every year thereafter, the full sum of.....dollars.

11. That said.....shall post a copy of this permit, plainly and legibly written or printed, in a conspicuous place in the room wherein his said business is carried on.

Witness my hand and the seal of said court this.....day of.....189..

.....Clerk.

SEC. 8. No person shall be granted a permit to sell or manufacture and sell spirituous, malt, fermented or vinous liquors under the provisions of this act, unless he shall first give bond in the penal sum of five thousand dollars, payable to the county in which application is made for such permit with at least two good and sufficient, sureties, freeholders of the county in which such permit is to be granted, to be approved by the clerk of the district court in and for said county, conditioned that he will not violate any of the provisions of this act and that he will pay all fines, damages, penalties and forfeitures which may be adjudged against him under the provisions of this act. The clerk of the district court taking such bond shall examine any person offered as surety thereon under oath, and require him to subscribe and swear to his statement in regard to his pecuniary ability to become such surety. Any such bond may be sued upon by or for the use of any person who shall sustain any damage by reason of the unlawful selling or giving of any spirituous, malt or vinous liquors by the holder of any such permit, his agent or servant. No person who is holden as principal or surety upon one bond given under the provisions of this act, shall become surety upon any other bond of like character.

SEC. 9. No permit shall be granted for the sale or manufacture and sale of spirituous, malt, fermented or vinous liquors, under the provisions of this act within three hundred feet of any place used for school purposes, where such school is situated in any city or incorporated town, or within one half mile of such school, when located outside of any city or town.

SEC. 10. Any person holding a permit under this act who shall give or sell any spirituous, malt, fermented or vinous liquors, or any intoxicating drink to any minor or to any intoxicated person or to any person who is in the habit of becoming intoxicated, or to any insane or idiotic person, shall be punished by fine not less than twenty-five nor more than one hundred dollars, or by imprisonment not exceeding thirty days, or both by such fine and imprisonment, in the discretion of the court; and in addition thereto shall forfeit such permit.

SEC. 11. Any person holding a permit under this act, to sell spirituous, malt, fermented or vinous liquors, who shall keep the windows or glass doors of his place of business obstructed by screens, blinds, paint or by any other means, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by fine not less than twenty-five nor more than one hundred dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court, and in addition thereto shall forfeit such permit.

SEC. 12. Every person who shall sell or expose for sale or barter, give away or otherwise dispose of any spirituous, malt, fermented or vinous liquors on the day of any general or special election, or at any time during the first day of the week, commonly called Sunday, shall be punished for each and every such offense, by fine not less than fifty nor more than one hundred dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 13. Every person holding a permit under this act who shall sell or give away or direct or permit any person in his employ to sell or give away any spirituous, malt, fermented or vinous liquor, which shall be adulterated with strychnine, strontia, sugar of lead, or any other deleterious substance, shall be punished by fine not less than five dollars nor more than fifty dollars for every such offense, and an analysis made by any practical and reputable chemist, shall be deemed competent evidence in any prosecution under this section.

SEC. 14. Every person holding a permit under this act shall be liable for the support of all paupers, widows, orphans, and the expense of all civil and criminal prosecutions growing out of or justly attributable to his traffic in intoxicating drinks, and

such liability may be enforced by civil action on the bond required by section eight hereof, a copy of which, duly authenticated, shall be competent evidence in any such action and shall be furnished by the clerk of the district court on demand, to be used as evidence in any such action, to any person claiming to have been so injured by such traffic.

SEC. 15. When any person shall become a county, township or city charge by reason of intemperance, a suit may be instituted by the proper county, township or city officer or officers, on the bond of any person holding a permit under this act, who may have been in the habit of selling or giving intoxicating liquors to any person so becoming a public charge, for any amount reasonably expended for the support of such intemperate person. *Provided*, that any person against whom a judgment shall be recovered under the provisions of this section, may recover by a similar action a proportionate amount thereof from each person, or any number of persons engaged in such traffic who have also sold or given intoxicating liquor to such person who shall have so become a public charge.

SEC. 16. Every husband, wife, child, parent, guardian, employer or other person, injured in person, property, or means of support, by any intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, shall, after the giving and during the existence of the notice provided for in the next section of this act, have a right of action in his or her own name, severally or jointly, against any person or persons who, by selling or giving intoxicating liquors, have caused the intoxication, in whole or in part, of such person, for all damages sustained by any such person injured as aforesaid.

SEC. 17. Such husband, wife, child, parent, guardian, employer, or other interested person, liable to be so injured by the sale of intoxicating liquor, to any other person, and desirous to prevent the sale of intoxicating liquors to such other person, shall give notice, either verbally or in writing, in the presence of a witness, to the person or persons so selling or giving away, or thought to be liable to so sell or give away such intoxicating liquors, or may file with the township or corporation clerk of the township or municipal corporation wherein such intoxicating liquors shall have been under the provisions of this act authorized to be sold, notice in writing to any permit holder authorized to sell the same in any such township or municipal corporation, not to sell to such person any intoxicating liquor from and after the date of such verbal notice or the filing of such written notice.

SEC. 18. Every person holding any such permit who shall by the sale of any spirituous, malt, fermented or vinous liquor cause the intoxication of any other person, shall be liable to any person who may take charge of and provide for such intoxicated person, in the sum of two dollars per day for every day such intoxicated person shall be so kept and provided for in consequence of such intoxication, which amount may be recovered in any court of competent jurisdiction in an action on the bond required by section 8 of this act.

SEC. 19. It shall be lawful for any married woman or other person legally entitled to the support of any other person, who shall be in whole or in part deprived of the support of such other person by reason of his or her intemperance, to institute a suit on the bond required by section eight of this act for all damages sustained by the loss of such support in consequence of such intemperance against any person or persons holding a permit under this act, who shall sell any spirituous, malt, fermented or vinous liquor to such person upon whom she or they are so dependent; and on the trial of any such suit it shall only be necessary in order to establish a *prima facie* case, to prove that the defendant has given or sold spirituous, malt, fermented or vinous liquor to such intemperate person during the period of his disqualification by reason of such intemperance to earn such support.

SEC. 20. The common council of any city, trustees of any incorporated town, and Board of Supervisors of any county in which permits shall be granted under the provisions of this act, shall have power within their respective municipalities to establish such rules, regulations and ordinances as to them shall seem proper, and shall not be contrary to any of the provisions of this act, in relation to the closing, on special occasions during certain hours of the day, of places where spirituous, malt, fermented or vinous liquors are authorized to be sold under such permits, and to prescribe penalties for the violation thereof, and to prescribe limits within which liquors shall not be authorized to be sold; provided that regulations made by the Board of Supervisors shall apply only to such territory as is outside of incorporated cities and towns. And all courts of criminal jurisdiction, within this State, are hereby clothed with power and jurisdiction to punish violations of such

rules, regulations and ordinances in the same manner, by the same proceedings, and to the same extent as though they were enacted and the penalties for the violation thereof prescribed, by like statutes of this State.

SEC. 21. All acts and parts of acts in conflict with any of the provisions of this act shall, on the taking effect hereof, cease to be operative in all counties in this State wherein permits shall be granted under the provisions of this act, as to all business authorized and carried on under and by virtue of any such permit or permits; and all of the provisions of this act shall thereafter be in full force, effect and operation in all such counties wherein permits for the sale or for the manufacture and sale of spirituous, malt, fermented or vinous liquors, shall have been authorized and issued in pursuance of and in conformity with the provisions of this act, as to all business authorized by such permit or permits. Provided, that nothing in this act contained shall repeal or in any wise interfere with or affect the statutes or any of them, or any part or provision thereof, authorizing and regulating the sale of intoxicating liquors by registered pharmacist.

SEC. 22. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Senator Smith of Wapello, moved that the consideration of Senate file No. 23 be deferred until the special order pending, being the consideration of Senate file No. 33, is disposed of.

Carried.

On motion of Senator Perkins the special order, Senate file No. 33, a bill for an act to provide for holding farmer's institutes in the State of Iowa, and providing for the expense therefor, with report of Committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Kelly offered the following amendment which was accepted:

Add to the end of line 4, section 1, of printed copy, the following. "in each year."

Senator Bailey offered the following amendment which was accepted:

Insert after the word "held" in sixth line of printed copy, "together with an itemized statement showing the manner in which money herein appropriated has been expended."

Senator Jamison offered the following amendment: Amend section 2 by adding after the word "instructors" in line 4 of said section, the following, "And for publishing the proceedings of said Institute meetings."

Lost.

Senator Reniger offered the following amendment: Add at end of section 2 the following, "Whose lectures shall relate to the objects of the Institute."

Lost.

Senator Perkins moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

On motion of Senator Smith of Wapello, Senate file No. 23 was made a special order for Thursday, March 3, 1892, at 10:30 o'clock A. M.

The following communication from the Speaker of the House of Representatives was read and referred to a special committee of three, consisting of Perry, Bolter and Mack:

To the Senate of the Twenty-fourth General Assembly: •

The preamble and resolutions purporting to have been adopted by your honorable body on the 10th day of February, 1892, respecting the duties and acts of the Speaker of the House of Representatives of Iowa, were this morning received, and in reply the Speaker would state:

That the preamble presents a state of facts, if not absolutely false in fact, certainly unknown to the Speaker.

That there was any long and persistent refusal by the Speaker of the House of Representatives to concur with the President of the Senate in certifying to the election of Samuel N. Parsons as secretary of such body, except by reasons of a restraining order of the courts of Iowa, was certainly unfounded in fact.

That the failure to certify to such election should tend to disturb the friendly relations existing between the Senate and House, or obstruct the due course of legislation by the General Assembly, was equally unknown to the Speaker of the House of Representatives, and the assumption of such fact unwarranted by the Senate.

That if there is any unpleasant state of affairs existing between the Senate and House is equally unknown to the Speaker, or to the House of Representatives, and the assumption is equally unwarranted by the Senate.

The Speaker would further state, that upon the very day that Samuel N. Parsons was reported to have been elected secretary, he sought the advice of the Attorney-General in reference to his duties and obligations in signing another certificate different from the one already signed, certifying J. W. Cliff as such secretary.

That pending the consideration of said question he was served with a restraining order, issued by the district court of Polk county, Iowa.

That the opinion of the Attorney-General of Iowa or the decision of the Senate would not influence the Speaker in disobeying a mandate of the courts of Iowa, even if they should be in favor of his certifying to the election of Samuel N. Parsons as Secretary, before the decision of said court.

That the Speaker would further suggest that if the Senate is without legal knowledge and is desirous of obtaining the opinion of the Attorney-General upon points of law designated first, second, third, fourth and fifth in the resolutions, that said body can obtain such information as speedily and readily as could the Speaker, and without his intervention.

Respectfully submitted,

W. O. MITCHELL,

Speaker House of Representatives, Twenty-fourth General Assembly.

HOUSE CHAMBER, February 19, 1892.

On motion of Senator Groneweg, the resolution relative to instructing the Appropriations Committee to report no extraordinary appropriations, was referred to the Committee on Ways and Means.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, February 26, 1892. }

MR PRESIDENT—I am directed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, Senate file No. 124, an act to amend chapter 174, acts of the Nineteenth (19th) General Assembly.

CLIFFORD D. HAM, *Private Secretary*.

On motion of Senator Lewis, Senate file No. 30, a bill for an act to repeal section 963, of the Code, in reference to costs of appeals in locating highways and to enact a substitute in lieu thereof, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lewis moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Senator Brower moved to extend the time of adjournment ten minutes.

Lost.

Pending discussion of the question, the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 27, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.

Prayer by the Rev. B. F. W. Cozier, of Colfax, Iowa.

The following pairs were announced:

Senators Smith of Butler and Perkins, until Tuesday; Jamison and Yeomans, until Wednesday; Gardiner and Brower, until Tuesday; Conaway and Smith of Wapello, until Monday; Dent with Finn, until Tuesday, March 1, 1892; Turner with Stewart, until Stewart returns.

Leave of absence was granted Senator Smith of Butler, until Tuesday; Yeomans until Wednesday; Smith of Wapello, until Monday.

Senator Mack moved that three hundred extra copies of Senate file No. 282, be printed.

Carried.

PETITIONS AND MEMORIALS.

Senator McCall presented petition of citizens of Story county, favoring the erection of cottages at the Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Palmer presented petition of Hickory Grove Alliance, Henry county, favoring the listing of all property at its full cash value, deduction of mortgage indebtedness from assessed value of property, favoring the Australian ballot law and other matters.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Kelly, Senate file No. 318, a bill for an act to amend section 1724 of McClain's Code of 1888.

Read first and second times and referred to Committee on Insurance.

By Senator McCall, Senate file No. 319, a bill for an act granting cities of the second class in the State all the powers and provisions of chapter 162 of the laws of the Seventeenth General Assembly; chapter 25, laws of the Twentieth General Assembly; and chapter 7 of the laws of the Twenty-second General Assembly, relating to the construction of sewers in cities of the first class.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Mattoon, Senate file No. 323, a bill for an act to amend chapter 167, laws of 1882.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Reiniger, by request, Senate file No. 321, a bill for an act to repeal chapter 53, acts of the Eighteenth General Assembly, and to enact a substitute therefor, relating to town plats.

Read first and second times and referred to the Committee on Judiciary.

By Senator Terry, Senate file No. 322, a bill for an act to amend section 1822, chapter 9, title XII of the Code, in relation to maturity of school bonds.

Read first and second times and referred to the Committee on Schools.

By Senator Kelly, Senate file No. 323, a bill for an act to protect the makers of notes.

Read first and second times and referred to the Committee on Banks and Banking.

Senator Gatch offered the following concurrent resolution:

Resolved by the Senate, the House concurring: That the Governor is hereby recommended to grant a pardon to John S. Little, now confined in the penitentiary at Fort Madison, Iowa, under life sentence, the application for pardon of said John S. Little having been referred by the Governor to this Assembly.

Referred to Committee on Penitentiaries and Pardons.

REPORTS OF STANDING COMMITTEES.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT--Your Committee on Cities and Towns, to whom was referred Senate file No. 224, a bill for an act to repeal section 1, of chapter 14, acts of the Twenty-third General Assembly, and enacting a substitute therefor, making the provisions of said chapter applicable to all cities containing a population of over ten thousand, and all cities organized and existing under special charter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT--Your Committee on Cities and Towns, to whom was referred House file No. 23, a bill for an act to amend chapter 15 of the acts of the Twenty-third General Assembly in relation to special taxes for the improvement of streets in cities existing under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred Senate file No. 191, a bill for an act amending section 1, of an act entitled, "an act creating in all cities of the first class, having a population according to any legally authorized census, of more than 30,000 inhabitants, a board of public works, and defining the power and duties of its members." beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended, that it do pass:

That the words, "an act" which occur as the eight and ninth words in the first line of the title of the bill, and again as the fifth and sixth words in the first line of section 1, be stricken out and the words, "chapter 1, of the acts of the Twenty-second General Assembly" be inserted in lieu thereof.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Mosnat, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 85, a bill for an act for the relief of Wilber McCabe, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding after the word "destroyed" in the eleventh line the following: "And whereas, the claimant has never received compensation therefor;" and that the bill as amended do pass.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Senator Schmidt, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 3, a joint resolution and memorial to the Congress of the United States in reference to the special tax for retail liquor dealers, beg leave to report that they have had the same under consideration and a majority of the Committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. O. SCHMIDT, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 168, a bill for an act supplemental to an act entitled, "An act to regulate admission to practice as attorneys and counsellors in the courts of Iowa, being chapter 168, of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, and have prepared a substitute for the bill, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the substitute do pass.

L. R. BOLTER, *Chairman*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 262, a bill for an act to amend section 2648, of the Code of this State, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 1, as follows: In third line after the word "here," insert the word "of;" same line after the word "excepted," insert the word "to;" in fourth line after the word "made," insert the words "in cases where the demurrer is overruled;" also in fourth line after the word "exception," insert the words "or exceptions;" in fifth line change the word "has" to "had." Strike out publication clause, and when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 137, a bill for an act amending section 3074, chapter 2, title XVIII, of the Code of 1873, relative to exemptions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 140, a bill for an act to legalize the extension of the limits of Colfax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Dent, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 129, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 277, a bill for an act to amend section 1, of chapter 158, of the laws of the Twenty-first General Assembly, relative to salary of messenger in the State Library, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Also: -

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 108, a bill for an act to amend section 1776 of the Code, and to reduce and limit the compensation of county superintendents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WILLIAM HAMILTON DENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 88, a bill for an act to amend section 506 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be recommitted to the Committee on Cities and Towns.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Senator Perry raised the following question of privilege.

It appears on the face of the printed bill, Senate file No. 289, being an act to provide for the use of a uniform screen at coal mines, for bi-weekly payment of coal miners and for other purposes, that I introduced it by request. This is a mistake. I drafted the bill and introduced it as my own, as the journal shows.

By request of Senator Everall Senate file No. 118 was re-referred to the Committee on Printing.

Senator Dodge took the Chair.

Senator Perry, from the minority of Committee on Judiciary, gave notice that at some future day a minority report on Senate file No. 282 would be submitted.

On motion of Senator Parrott, House file No. 144, a bill for an act to legalize the acts of the council of La Porte City, Black Hawk county, Iowa, and to legalize the ordinances and resolutions passed and adopted by the government of said city, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Terry, Turner, Vale—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Gatch, Harsh, Mattoon, Mosnat, Shields, Smith of Butler, Smith of Wapello, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, concurrent resolution in relation to the appointment of standing committee on State institutions, with report of committee recommending a substitute, and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the substitute be substituted for the original concurrent resolution.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that House has passed the following House bills in which the concurrence of the Senate is asked:

House file No. 42, a bill for an act defining the qualification of county superintendent of schools.

House file No. 210, a bill for an act relating to the Industrial Home for the Blind at Knoxville, Iowa, to the board of commissioners thereof and providing trustees therefor.

House file No. 14, a bill for an act to amend section No. 1288 of the Code of 1873, relating to highway crossings.

House file No. 24, a bill for an act to more definitely designate the State Board of Examiners, as created by chapter 104, laws of the Twenty-second General Assembly.

CHARLES BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill: Senate file No. 123, a bill for an act to legalize the action of the school board of the district township of Ward, in Ward township, Clarke county, Iowa, in a certain case; also, substitute for Senate file No. 165, a bill for an act to legalize the ordinances of the city of Clinton, in the county of Clinton, State of Iowa, as a city of the first class.

CHARLES BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate resolution in regard to the appointment of a joint standing committee on the enrollment of bills passed by the General Assembly.

Also :

That the House has concurred in the Senate amendments to House file No. 181.

Also :

That the House has passed joint resolution No. 13, relating to accepting the sum appropriated by Congress to the State, to refund the direct war tax upon the trusts and conditions specified by this act.

CHAS. BEVERLY, *Chief Clerk.*

HOUSE BILLS.

House file No. 24, a bill for an act to more definitely designate the State Board of Examiners as created by chapter 104, laws of the Twenty-second General Assembly.

Read first and second times and referred to Committee on Public Health.

House file No. 14, a bill for an act to amend section 1288 of the Code of 1873, relating to highway crossings.

Read first and second times and referred to Committee on Railways.

House file No. 42, a bill for an act defining the qualification of county superintendent of schools.

Read first and second times and referred to Committee on Schools.

House file No. 210, a bill for an act relating to the Industrial Home for the Blind at Knoxville, Iowa, to the board of commissioners thereof, and providing funds therefor.

Read first and second times and referred to Committee on Charitable Institutions.

Senator Lewis withdrew his motion which was pending at the hour of adjournment yesterday, and moved that Senate file No. 30 be engrossed.

On the question, "Shall the bill be engrossed?"

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Wright, Stewart, Terry, Turner, Vale—34.

The nays were:

Senators Bishop, Bolter, Conaway, Dodge, Reiniger, Schmidt—6.

Absent or not voting:

Senators Brower, Dent, Engle, Harsh, Kent, Mosnat, Shields, Smith of Butler, Smith of Wapello, Yeomans—10.

So the bill was ordered engrossed.

Senator Perry explained his vote as follows:

MR. PRESIDENT—I desire to explain my vote. I am willing to admit there is some doubt as to the constitutionality of this bill, but upon the whole I have concluded to vote for its engrossment. I vote, aye.

T. B. PERRY.

Senator Cleveland offered the following resolution:

Resolved, That the Senate hold an evening session Friday, March 4, 1892, at 7:30 o'clock, for the purpose of taking up legalizing acts, purely local measures, and bills recommended for indefinite postponement, where there are no objections.

Adopted.

President *pro tem* Kelly took the chair.

On motion of Senator Dodge, Senate file No. 8, a bill for an act to protect associations and unions of workingmen in their labels, trademarks and forms of advertising, with report of committee recommending amendments and that as amended the bill do pass, was taken up and considered.

Senator Dodge moved to amend by striking out "or having reason to know," in the first amendment recommended by committee.

Carried.

The question now being upon the adoption of the amendments as recommended by committee.

Adopted.

Senator Mosnat moved to amend by inserting the word "person" after the word "such," in line 2, of section 2.

Carried.

Senator Finn moved to amend by changing the word "may" to "shall" after the word "aforesaid" in line 2, of section 3.

Carried.

Senator Mosnat moved to amend by inserting the word "person" after the word "such" in line 4, of section 3.

Carried.

Senator Mosnat moved to amend by inserting the word "person" after the word "said" in line 8, of section 3.

Carried.

Senator Gobble moved to amend by inserting the word "person" after the word "such" in line 1, of section 4.

Carried.

Senator Mosnat moved to amend by inserting the word "person" after the word "such," in line 7 of section 4.

Carried.

Senator Mosnat moved to amend by striking out, "or to the complainant," in line 10, section 4.

Pending discussion of this amendment, on motion of Senator Parrott, the Senate adjourned until Monday, February 29, 1892, at 10 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 29, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petitions of David Brown and seven other men, Mrs. C. Studebaker and eight other women of Mystic, Appanoose county, asking that women be granted equal political rights with men.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Reiniger presented petitions signed by 126 men and 95 women of Appanoose county, asking for legislation that will confer upon women equal political rights with men.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Gardiner presented petition of Samuel Saddoris and fourteen other citizens of DeWitt, Clinton county, asking the Twenty-fourth General Assembly to revise the revenue laws, that the burdens of taxation may be more equitably distributed; asking protection to makers of promissory notes against so-called innocent purchasers; asking passage of Australian ballot law and favoring election of United States Senators by direct vote of the people.

Referred to Committee on Ways and Means.

Senator Gobble presented petition of 101 citizens of Louisa county, favoring equal political rights for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Hager presented petition of John Miller Post 158, G. A. R., of St. Charles, Iowa, favoring the erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Andrews presented petition of Annie H. Cook and thirty-one other citizens of De Soto, Dallas county, favoring equal political rights to all citizens.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Wright presented petition of twenty-eight men and women of Dows, Wright county, asking for equal political rights for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Kelly presented petition of five women of Iowa City, Iowa, asking for equal political rights for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Stewart presented petition of Charles McIntyre, Mrs. Elvira Wilson and eighteen other women of Montezuma, Iowa, asking for equal political rights for women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Gardiner presented petition of John Robb and fourteen other citizens of De Witt, Iowa, favoring passage of "Conger Lard Bill" and "Option Bill."

Referred to Committee on Federal Relations.

Senator Smith of Wright presented petition of twenty-one voters of Williams, Hamilton county, against the repeal of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Conaway presented petition of T. P. Stanton, surgeon C., B. & Q. R. R., and ten other graduate physicians and surgeons of Chariton, Iowa, asking for the enactment into law of Senate file No. 53.

Referred to Committee on Pharmacy.

Senator Harsh presented petition of C. E. Young and sixteen other citizens of Union county, opposing Senate file No. 152.

Referred to Committee on Fish and Game.

Senator Harsh presented petition of S. N. Wilkin and sixty-eight citizens of Creston, Iowa, opposing passage of Senate file No. 152.

Referred to Committee on Fish and Game.

Senator Green presented petition of A. M. Loomis and seventy-five other citizens of Wyoming, Jones county, favoring erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Turner presented petition of Ella Moffat and seven other women of Marshalltown, asking for women equal political rights with men.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Schmidt presented petition of John W. Ballard and eighteen other registered pharmacists of Davenport, Iowa, protesting against the passage of Senate file No. 53.

Referred to Committee on Pharmacy.

Senator Funk moved that the roll call for the introduction of bills be dispensed with.

Carried.

INTRODUCTION OF BILLS.

By Senator Terry, Senate file No 324, a bill for an act to legalize the purchase of the Cedar Rapids Electric Light and Power Company, and certain ordinances of the city of Cedar Rapids, granting, defining and fixing such franchises.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hurst, Senate file No. 325, a bill for an act to amend and make more definite section 807 of the Code, relating to assessment of taxes, and to prescribe penalties for violation of its provisions.

Read first and second times and referred to the Committee on Insurance.

By Senator Dodge, Senate file No. 326, a bill for an act for the prevention of blindness.

Read first and second times and referred to Committee on Public Health.

By Senator Shields, Senate file No. 327, bill for an act giving legislative assent to the purposes of the congressional act of August 30, 1890, in regard to the more complete endowment and support of colleges for the benefit of agriculture, mechanics, arts.

Read first and second times and referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate file 33, a bill for an act to provide for holding Farmer's Institutes in the State of Iowa and providing for the expenses thereof, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 30, a bill for an act to repeal section 963 of the Code, in reference to cost of appeals in locating highways, and to enact a substitute in lieu thereof, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 225, a bill for an act to repeal section 1579 of the Code and enact a substitute therefor providing for the publication and sale of the school laws, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended

by striking out the word "ten" in line 10, printed bill, and inserting in lieu thereof the word "five;" and by striking out the word "ten" in the 20th line, printed bill, and inserting the word "five" in lieu thereof and when so amended do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 162, a bill for an act to provide for the teaching of vocal music in the public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the enacting clause be amended by adding the words "of the State of Iowa," and when so amended the bill do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 200, a bill for an act to amend section one (1), of chapter sixty-three (63), of the acts of the Twenty-first General Assembly, as amended by chapter one hundred and eight (108), of the acts of the Twenty-second General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred House file No. 172, a bill for an act to amend section 2, of chapter 156 of the laws of the Seventeenth General Assembly, relative to the protection of game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 190, a bill for an act to discourage incendiarism, prevent speculation, save property for taxation, and to define the liabilities of insurance companies in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be indefinitely postponed.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 213, a bill for an act to amend section 21, chapter 65, of the acts of the Twenty-first General Assembly, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: That the word "farm," in the last line of section 1 be stricken out, and the word "farmers" be inserted in lieu thereof; that the bill be further amended by inserting after the title of said bill the following enacting clause: "Be it enacted by the General Assembly of the State of Iowa;" and that the publication clause be stricken out; and that as so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Bishop, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 11, a bill for an act to amend chapter 193, laws of 1884 (amendatory of the Code, chapter 8, title 12), relative to changing the rate of interest for the investment of the endowment fund of the Iowa Agricultural College and farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the word "six" in the third line thereof and inserting the word "eight," and by striking out the word "five" in fourth line and inserting the word "six" in lieu thereof; also by striking out the publication clause, and as amended, the committee recommend that the bill do pass.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 212, a bill for an act to amend chapter 72, laws of 1884, relative to selling and leasing the lands belonging to the Iowa State Agricultural College and farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the publication clause, and as amended the committee recommend that the bill do pass.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Senator Shields, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts to whom was referred Senate file No. 174, a bill for an act to increase the number of Judges in the Second (2d) Judicial district, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by striking out the figures "1896" in section two (2) thereof, and inserting in lieu thereof the figures "1892," and that the bill as so amended do pass.

J. H. SHIELDS, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate file No. 33, a bill for an act to provide for holding farmers' institutes in the State of Iowa and providing for the expenses therefor, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Turner, Vale—36.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Dodge, Engle, Gatch, Jamison, Kelly, Mattoon, Oleson, Perry, Smith of Butler, Smith of Wapello, Terry, Yeomans—14.

So the bill passed and the title was agreed to.

Senator Bailey explained his vote as follows:

I do not like the principal upon which the bill is based. It is not in line with the best judgment of those who have had the largest experience in farmers' institute work. But, as the measure may be considered better than nothing, I vote "aye" in the hope that it will lead up to a better law.

A. K. BAILEY, *Senator 42nd District*

Senator Kelly called up resolution introduced January 26th, relative to limiting time for debate on all questions and amendments thereto.

Adopted.

The journals of the 26th and 27th were corrected and approved.

Senator Dodge called up Senate file No. 8, a bill for an act to protect associations and unions of working men in their labels, trade marks and forms of advertising, for further consideration.

The question being upon the following amendment, offered by Senator Mosnat, February 27, 1892: Amend by striking out "or to the complainant," in line 10, section 4 of printed bill.

The amendment was adopted.

On motion of Senator Dodge, the word "person" was inserted after the word "such," as it appears in line 2 of section 5 of the printed bill.

On motion of Senator Dodge, the word "person" was inserted after the word "such," as the same appears in lines 1, 2 and 3 of section 6 of the printed bill.

On motion of Senator Dodge, the word "person" was inserted after the word "such," at the end of line 1, section 7.

On motion of Senator Gobble, section 1 was amended by inserting after the word "workingmen," in line 1, the words "or others," and by striking out all of line 3 and all of line 4 except "it shall."

Senator Dodge moved that the bill be engrossed and read a third time to-morrow.

Carried.

President *pro tem* Kelly took the chair.

On motion of Senator Cleveland, Senate joint resolution No. 1, relative to the election of United States senator by direct vote of the people, with report of committee recommending joint resolution do pass, was taken up, considered and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended and the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle Jamison, Oleson, Perry, Smith of Butler, Smith of Wapello, Vale, Yeomans—10

So the joint resolution passed and the title was agreed to.

On motion of Senator Funk, Senate file No. 68, a bill for an act to amend section 1967 of the Code of 1873, relative to defective acknowledgement of deeds, mortgages and other instruments in writing, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Funk moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis,

Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle, Jamison, Oleson, Perry, Smith of Butler, Smith of Wapello, Vale, Yeomans—10.

So the bill passed and the title was agreed to.

Senator McCall offered the following concurrent resolution, and moved its adoption.

Resolved by the Senate, the House concurring: That the Secretary of State be directed to have printed and bound in pamphlet form 1,200 copies of the proceedings of the last re-union of the Pioneer Law Makers' Association of Iowa.

The Secretary of State shall distribute them as follows: Two copies each to members of the association and members of the Twenty-fourth General Assembly, and one copy to each public school and college library in the State, and the bill for said printing shall be audited by the executive council.

Adopted.

On motion of Senator Cleveland, Senate file No. 13, a bill for an act to apply provisions of chapter 58, Seventeenth General Assembly and amendments thereto, to existed bonded indebtedness of counties, cities and towns, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Grone-weg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale—38.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Brower, Dent, Engle, Jamison, Mattoon, Oleson, Perry, Rich, Smith of Butler, Smith of Wapello, Yeomans—11.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, Senate file No. 139, a bill for an act to prevent the presence of Canada and prickly or bull thistles, provid-

ing punishment for violation, and to repeal sections 995 and 4062, of the Code of 1873, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perkins moved to extend the hour of adjournment ten minutes.

Lost.

The motion being, "Shall the bill be engrossed and read a third time to-morrow?"

Pending discussion, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, March 1, 1892. }

Senate met in regular session at 10 o'clock, A. M., President Bestow presiding.

Prayer by Rev. Joseph Boyd, of Des Moines.

Senator Andrews announced that he was paired with Senator Dodge for the day.

Senator Andrews was excused until afternoon.

PETITIONS AND MEMORIALS.

Senator Everall presented petition of citizens of Clayton county, Iowa, favoring passage of a law providing for the inspection of steam boilers and the licensing of engineers.

Referred to Committee on Manufactures.

Senator Jamison presented petition of M. L. Prime and six other men, and Mrs. L. S. Stevenson and eight other women, of Norwalk, Iowa, favoring equal political rights for all citizens.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Perkins presented petition of W. W. Van Sant and fifty other citizens of Fremont county, against any change in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of O. G. Wanless and 160 other citizens of Howard county, relative to the taxation of mortgages.

Referred to Committee on Ways and Means.

Senator Chantry presented petition of voters and citizens of Red Oak, Iowa, against any change in present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harsh presented petition of M. E. Dennis and three others of Creston, Iowa, asking that Iowa exhibit at World's Fair be closed on Sunday.

Referred to Committee on Ways and Means.

Senator Brower presented petition of members of company D, Iowa National Guard, supporting the National Guard bill.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Perry, Senate file No. 328, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, as

amended by chapter 149 of the acts of the Twenty-first General Assembly and by chapter 82 of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Terry, Senate file No. 329, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary.

By Senator Parrott, Senate file No. 330, a bill for an act relating to the contract labor at the penitentiaries of the State.

Read first and second times and referred to Committee on Penitentiaries and Pardons.

By Senator Yeomans, Senate file No. 331, a bill for an act amending section 1, of chapter 130 of the laws of the Sixteenth General Assembly.

Read first and second times and referred to Committee on Corporations.

By Senator Yeomans, Senate file No. 332, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing business to issue certificates and warehouse receipts on their own products while in their custody and control.

Read first and second times and referred to Committee on Judiciary.

By Senator Dodge, by request, Senate file No. 333, a bill for an act to amend section 1132 of the Code, as to insurance.

Read first and second times and referred to Committee on Insurance.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked: House file No. 102 Committee substitute for House file No. 30, a bill for an act prevent prize fighting.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, First Asst.

REPORTS OF STANDING COMMITTEES.

Senator Finn, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred concurrent resolution relating to swamp lands indemnity, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. L. FINN, *Chairman.*

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 170, a bill for an act to amend section one (1), chapter one hundred and thirty-nine (139), of the acts of the Twentieth General Assembly, in relation to union depots, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out in the sixth line the words, "shall be and" and "are hereby," and insert the words, "may be." And that as so amended that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 169, a bill for an act to amend section one (1), chapter twenty-four (24) of the acts of the Twentieth General Assembly in relation to station house intersections, beg leave to report that they have had same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways to whom was referred Senate file No. 265, a bill for an act to prevent accidents to railway freight trains and for the better protection of railway employes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: strike out the words "six months" in section one, second line and insert in lieu thereof the words "one year."

Strike out all after the word "dollars" in the third line of section "Two," and that as so amended that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 48, a bill for an act to fix and define the liability of insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the publication clause of said bill be stricken out and that as thus amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 26, a bill for an act to amend sections 1124 and 1149, of the Code, relating to joint stock insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out the word "two," in line two of section 1, and insert in lieu thereof the word

"one." Strike out the word "fifteenth," and insert the word "first;" and strike out the word "January," and insert the word "July;" both being in line five of sub-division 3, of section 1. Strike out publication clause; and that so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 42, a bill for an act defining the qualification of county superintendents of schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to the end thereof the following words, viz.: "or who has served two years as county superintendent in this State," and when so amended that the bill do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 47, a bill for an act to amend section 1752, Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 9, a bill for an act to provide for a free public employment office in connection with the bureau of labor statistics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: After the word applicant in line eight, section one, the words "section two" shall be inserted. After the word "whomsoever" in line twenty-five of section one be stricken out and the word "whatsoever" be inserted in lieu thereof, and that as so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 214, a bill for an act to amend section 9 of chapter 100, of acts of Sixteenth General Assembly, relating to mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Smith, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Joint resolution No. 14, a joint resolution and memorial to Congress relating to compound lard.

Also, Senate file No. 16, a bill for an act to legalize the incorporation of the town of Shelby, Shelby county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

Also, Senate file No. 115, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

J. J. SMITH, *Chairman*.

Senator Hager called up concurrent resolution relative to the pardon of Charles Cook, with report of the committee recommending that the resolution do pass.

The report of the committee was adopted.

Senator Hager moved the adoption of the resolution.

The question now being, "Shall the resolution be adopted?"

The resolution was adopted.

On motion of Senator Mattoon, 300 copies of Senate file No. 264 were ordered printed.

Senator Lewis called up Senate file No. 30, a bill for an act to repeal section 963 of the Code, in reference to costs of appeals in locating highways and to enact a substitute in lieu thereof.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Chantry, Couaway, Dent, Everall, Finn, Funk, Gardiner, Gatch, Groneweg, Hager, Harmon, Harsh, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Palmer, Parrott, Perkins, Perry, Reynolds, Smith of Butler, Smith of Wright, Terry, Turner, Vale, Yeomans—30.

The nays were:

Senators Bishop, Bolter, Dodge, Hurst, Jamison, Mattoon, Oleson, Reiniger, Rich, Schmidt, Smith of Wapello, Stewart—12.

Absent or not voting:

Senators Andrews, Brower, Cleveland, Engle, Gobble, Green, Kent Shields—8.

So the bill passed and the title was agreed to.

Senator Jamison filed the following explanation of his vote:

MR. PRESIDENT—I desire to say in explanation of my vote, that while this bill may not be unconstitutional, it, at least, subjects a man to a contingent liability to pay costs for the purpose of procuring a trial by jury. Trial by jury is the great-

est boon of American liberty, and I do not think it should be abridged. No man ought to be deprived of his property without free access to trial by jury; I, therefore, vote "no."

UNFINISHED BUSINESS.

Unfinished business being the consideration of Senate file No. 139, was taken up.

Senator Everall offered the following amendment to the substitute bill: Strike out of section 1 the words "any commonly known as bull thistles;" also strike out of section 2 the words, "any commonly known as bull thistles."

The question being, "Shall the amendment be adopted?"

The amendment was adopted.

The question being, "Shall the bill be engrossed and read a third time to-morrow?"

The bill was ordered engrossed and read a third time to-morrow.

On motion of Senator Perry, Senate file No. 66, a bill for an act to amend section 3894 of the Code of Iowa, relating to breaking and entering railroad cars, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

The question being, "Shall the bill be engrossed and read a third time to-morrow."

The bill was ordered engrossed.

HOUSE BILLS.

House file No. 30, a bill for an act to prevent and punish prize fighting.

Read first and second times and referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has voted to non-concur in the Senate concurrent resolution relating to the appointment of a joint Committee on State Institutions.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, *First Assistant.*

On motion of Senator Hager, Senate file No. 116, a bill for an act to amend section 2619 of the Code with reference to the publication of original notices, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, with an amendment, in which the concurrence of the Senate is asked:

Substitute for Senate file No. 33, a bill for an act to provide for holding Farmers' Institutes in the State of Iowa, and providing for the expenses thereof.

CHARLES BEVERLY, *Chief Clerk*.

Per D. H. SCOTT, *First Assistant*.

On motion of Senator Jamison, Senate file No. 102, a bill for an act to repeal sections 4413, 4414 of the Code, as amended by chapter 39 of the Twenty-second General Assembly, relating to peremptory challenges of jurors in criminal cases, and enacting the following in lieu thereof, with report of committee recommending corrections, and that when corrected the bill do pass, was taken up and considered, and the report of the committee was adopted.

Senator Jamison moved that the bill be engrossed and read a third time to-morrow.

Pending discussion, the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President Bestow presiding.

The question before the Senate being the further consideration of Senate file No. 102, upon the question: "Shall the bill be engrossed and read a third time to-morrow?"

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Dent, Dodge, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Mosnat, Palmer, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart—18.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Everall, Funk, Gardiner, Gatch, Gobble, Harsh, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Parrott, Perkins, Reiniger, Smith of Wright, Turner, Vale, Yeomans—26.

Absent or not voting:

Senators Cleveland, Engle, Finn, Reynolds, Shields, Terry—6.

So the bill failed on engrossment.

President *pro tem* Kelly took the chair.

On motion of Senator Lewis, Senate file No. 75, a bill for an act to abolish the independent school district of East Cleveland, No. 10, in Lucas county, to annex the territory of said district to the district township of Whitebreast, and to turn over all properties and moneys of said independent district to said district township, with report of committee recommending amendments and that as amended the bill do pass was taken up, considered and the report of the committee was adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Reiniger, Reynolds, Smith of Wapello—5.

So the bill passed and the title was agreed to.

On motion of Senator Kent, Senate file No. 125, a bill for an act to authorize the township of any county in the State of Iowa to build public halls for elections and other purposes, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Kent moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Reiniger, Reynolds, Shields, Smith of Wapello—6.

So the bill passed and the title was agreed to.

On motion of Senator Perkins, Senate file No. 107, a bill for an act to provide for the appointment of county superintendent of schools by the boards of supervisors of the several counties of the State, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 109, a bill for an act to provide for the protection of owners of stallions and the breeders of pure blooded horses, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Bolter, Senate file No. 154, a bill for an act to regulate banking in the State of Iowa and to provide for the establishment and examination of private banks, with report of the committee recommending that the bill be referred to the Committee on Banks and Banking, was taken up, considered, and the report of the committee was adopted.

Senator Dodge, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 279, a bill for an act conferring upon cities the right to establish free employment offices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that this bill be indefinitely postponed, as its subject matter is fully covered by Senate file No. 9, which provides for a free public employment office, and has been reported back with the recommendation that it do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

On motion of Senator Funk, Senate file No. 152, a bill for an act to restrain hunters from trespassing upon cultivated lands without permission, and prescribing penalties therefor, with report of committee recommending a substitute and that substitute do pass, was taken up, considered, and the report of the committee was adopted.

The substitute bill for Senate file No. 152 was read a first and second time.

Senator Perry moved to amend the substitute bill by striking out the word, "Some one of the parties hereinbefore named," and inserting, "Such owner, occupant or agent."

The motion prevailed and the amendment was adopted.

Senator Bolter moved to amend by striking out the words, "Occupant or agent," and inserting in lieu thereof the words, "Or his authorized agent."

The amendment was lost.

Senator Gardiner moved to amend by adding to section 2 the following: "And further, that no prosecution under this act shall be commenced unless the owner or occupant of said lands has erected in some conspicuous place a notice of warning to hunters."

The amendment was lost.

Senator Perry moved to amend by inserting before the word "for," in line 2, section 2 of the printed substitute bill, the words, "by imprisonment in the county jail not more than thirty days."

The motion prevailed and the amendment was adopted.

The question now being: "Shall the bill be engrossed and read a third time to-morrow."

The Senate ordered the bill engrossed for a third reading.

On motion, Senate file No. 181, a bill for an act to amend section 4043 of the Code, relating to lotteries, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

Pending discussion, on motion of Senator Yeomans, the Senate adjourned until 10 o'clock A. M., tomorrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 2, 1892. }

Senate met in regular session at 10 o'clock A. M. President Bestow presiding.

Prayer by Rev. F. H. Sanderson.

Senator Parrott offered the following resolution, and moved its adoption:

Resolved, by the Senate, the House concurring, That the concurrent resolution heretofore adopted, designating Thursday evening, March 3d, as the date for holding the joint convention for the election of wardens of the penitentiaries, State printer, State binder, regents of the State University, directors and trustees of the various State institutions, be and the same is hereby received, and that said joint convention be held in the hall of the House of Representatives on Friday, March 4th, 1892, at 10:30 o'clock A. M.

Adopted.

PETITIONS AND MEMORIALS.

Senator Turner presented resolution of Friends' Church, of Hartland, Iowa, favoring maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harsh presented petition of citizens of Creston, Iowa, favoring Sunday closing of Iowa exhibit at World's Fair.

Referred to Committee on Columbian Exposition.

Senator Parrott presented resolutions of Robert Anderson Post, No. 68, G. A. R., of Waterloo, Iowa, declaring against the erection of cottages at Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Smith, of Wapello, presented petition of citizens of Wapello county, favoring equal political rights for all citizens.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Oleson presented petition of Mrs. C. W. Newton and other ladies of Fort Donaldson Post, W. R. C., asking for the erection of cottages at the Soldiers' Home at Marshalltown.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Andrews, by request, Senate file No. 334, a bill for an act to authorize the supreme court of the state, in certain cases, to employ an accountant, and to provide for his compensation.

Read first and second times and referred to Committee on Judiciary.

By Senator Oleson, Senate file No. 335, a bill for an act to legalize the organization and official proceedings of the independent school district of Callender, in Webster county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Turner, Senate file No. 336, a bill for an act to amend section 1, chapter 21 of the laws of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 8, for an act to protect associations and unions of workingmen in their labels, trade marks and forms of advertising, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 66, a bill for act to amend section 3894 of the Code of Iowa, relative to breaking and entering railroad cars, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 139, a bill for an act to amend section 995 and 4062 of the Code of 1873 relative to the extermination of thistles and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Kelly, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred resolution recommending the pardon of John S. Little, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 15, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa, in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that in their

judgment Senate file No. 15 contains more than one subject, and therefore, as a constitutional question may arise hereafter, your committee beg to offer as a substitute for Senate file No. 15 the following two bills, respectively, entitled a bill for an act to provide for the payment of wages of workmen employed in the State of Iowa in lawful money of the United States; a bill for an act to protect workmen employed in the mines in the State of Iowa, in the management and control of their own earnings; and your committee, therefore, recommend the indefinite postponement of Senate file No. 15, and do also recommend that the foregoing substitutes do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

Senator Dodge called up Senate file No. 8, a bill for an act to protect associations and unions of workingmen in their labels, trademarks and forms of advertising, which having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Green, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Bailey, Dent, Engle, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Kelly, Mattoon, Palmer, Shields, Smith of Wright, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Perry called up Senate file No. 66, a bill for an act to amend section 3894 of the Code of Iowa, relating to breaking and entering railroad cars.

The bill having been engrossed, was read a third time.

By consent of the Senate, the word "ninety" was stricken from the bill and the word "thirty" inserted in lieu thereof.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Green, Hager, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale—35.

The nays were :

None.

Absent or not voting :

Senators Dent, Engle, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Kelly, Mack, Mattoon, Palmer, Shields, Smith of Wright, Yeomans—15.

So the bill passed and the title was agreed to.

Senator Lewis called up Senate file No. 139, a bill for an act to prevent the presence of Canada and prickly or bull thistles, providing punishment for violation, and to repeal sections 995 and 4062 of the Code of 1873. The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Everall, Green, Hager, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Kelly, Mattoon, Palmer, Shields, Yeomans—15.

So the bill passed and the title was agreed to.

On motion of Senator Reiniger, Senate file No. 181, a bill for an act to amend section 4043 of the Code, relating to lotteries, was taken up for further consideration.

On the question, "shall the report of the committee recommending indefinite postponement be concurred in?"

The yeas were:

Senators Bishop, Bolter, Cleveland, Conaway, Dodge, Everall, Gardiner, Green, Hurst, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Perkins, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry—23.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Gatch, Hager, Harsh, Jamison, Jewett, McCall, Parrott, Reiniger, Reynolds, Smith of Wright, Turner, Vale—16.

Absent or not voting:

Senators Dent, Engle, Finn, Funk, Gobble, Groneweg, Harmon, Mattoon, Palmer, Shields, Yeomans—11.

So the report of the committee was concurred in, and the bill indefinitely postponed.

Senator Cleveland requested that Senate files Nos. 55 and 57, being Nos. 5 and 12 upon the calendar, be passed for to-day, and allowed to retain their places upon the calendar.

The request was granted.

Senator Turner called up Senate File No. 111, a bill for an act to amend chapter 70, laws of the Twenty-third General Assembly; also chapter 42 of the Twenty-second General Assembly, relating to damages done by dogs.

On motion of Senator Harsh, further consideration of this bill was passed, the bill retaining its place upon the calendar.

On motion of Senator Lewis, Senate file No. 29, a bill for an act to assist farmers in holding farmers' county institutes for educational purposes and for developing the agricultural resources of the State, and for appropriating money therefor, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Perkins, Senate file No. 146, a bill for an act establishing "Arbor Day" as a holiday, and to set apart the first Tuesday of April of each year as "Arbor Day," to be observed by the schools of Iowa, with report of committee recommending indefinite postponement, was taken up and considered, and the report of the committee was adopted.

On motion of Senator Schmidt, Senate file No. 39, a bill for an act to increase the number of judges in the Seventh judicial district, with report of committee recommending that the bill do pass, was taken up and considered, and the report of the committee was adopted.

Senator Schmidt moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

On the question: "Shall the rules be suspended, the bill be considered engrossed and read a third time now?"

The yeas were :

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—38.

The nays were :

Senator Lewis—1.

Absent or not voting :

Senators Bolter, Dodge, Engle, Finn, Funk, Jewett, Mack, Mattoon, Palmer, Shields, Yeomans—11.

So the rules were suspended, the bill considered engrossed. and ordered read a third time now.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Baily, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Mosnat, Oleson, Perkins, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—37.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Engle, Finn, Funk, Mack, Mattoon, Palmer, Parrott, Reiniger, Rich, Shields, Yeomans—13.

So the bill passed and the title was agreed to.

On motion of Senator Smith, of Wapello, Senate file No. 174, a bill for an act to increase the number of judges in the Second judicial district, with report of committee recommending amendments, and as amended, that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Smith, of Wapello, moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—38.

The nays were:

Senators Brower and Parrott—2.

Absent or not voting:

Senators Bolter, Engle, Finn, Funk, Gatch, Mack, Palmer, Reiniger, Shields, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Green, Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa,

with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Green moved that the rule be suspended, and the bill be considered, engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—40.

The nays were:

None.

Absent or not voting:

Senators Bolter, Engle, Finn, Funk, Mattoon, Palmer, Reiniger, Rich, Shields, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Dent, Senate file No. 54, a bill for an act to protect stock-breeders within the State of Iowa, with report of committee recommending that the bill be indefinitely postponed, was taken up and considered.

On the question, "Shall the report of the Committee be concurred in?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Everall, Finn, Green, Groneweg, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Mack, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—33.

The nays were:

Senators Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Hager, Harsh, Lewis, McCall, Mattoon—11.

Absent or not voting:

Senators Engle, Funk, Mosnat, Palmer, Shields, Yeomans—6.

So the report of the committee was concurred in and the bill was indefinitely postponed.

By request of Senator Kelly, a roll call was had on the House substitute for Senate file No. 33.

The question being, "shall the House amendment be concurred in?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Engle, Funk, Palmer, Shields—4.

So the House amendment was concurred in.

The following pairs were announced: Senators Kent and Funk, for to-day.

Leave of absence was granted Senator Funk for to-day.

The Journals of February 29th and March 1st were corrected and approved.

On motion of Senator Kelly the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 3, 1892. }

The Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. R. E. Carter, of Randolph, Iowa.

Senator Reiniger offered the following resolution and moved its adoption:

Resolved, That the Committee on Charitable Institutions be and is hereby instructed to inquire and ascertain whether it is feasible and desirable, and for the best interests of the children now at the Orphans' Home, Davenport, to authorize the Children's Home Society, of Davenport, to find homes for any or all of these children in respectable families in this State, and if it finds it for the interest of these children to do so, to report to the Senate and introduce a bill providing for the transfer of the children to the homes of respectable families.

Adopted.

Senator Finn offered the following resolution and moved its adoption:

Resolved, That the Banking Committee be instructed to report Senate file No. 154, to this body within five days.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Chantry, Finn, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—19.

The nays were:

Senators Bishop, Bolter, Brower, Dodge, Everall, Funk, Gobble, Green, Groneweg, Hurst, Kent, Mack, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—23.

Absent or not voting:

Senators Cleveland, Conaway, Dent, Engle, Gardiner, Gatch, Kelly, Shields—8.

So the resolution was lost.

MESSAGES FROM THE HOUSE.

The following messages were received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate joint resolution No. 1, relative to the election of the United States Senators by a direct vote of the people.

Also, that the House has concurred in Senate resolution relative to the time of holding joint convention of this General Assembly for the election of trustees and regents for the various State institutions, State printer, binder, wardens of the penitentiaries, etc.

CHAS. BEVERLY, *Chief Clerk*.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, 250, 259, 286, 333, in which the concurrence of the Senate is asked:

House file No. 250, a bill legalizing the acts and ordinances of the incorporated town of Charter Oak, Crawford county, Iowa.

House file No. 259, a bill legalizing the re-incorporation of the Presbyterian church, of Toledo, Tama county, Iowa.

House file No. 286, a bill to legalize certain acts of the independent school district of Table Mound and Salem of Dubuque county, Iowa, relative to the transfer and annexation of territory.

House file No. 333, a bill to legalize the incorporation of the town of Monroe, Jasper county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town.

Also:

House joint resolution No. 4, in reference to the special tax for retail liquor dealers.

CHAS. BEVERLY, *Chief Clerk*.

PETITIONS AND MEMORIALS.

Senator Mack presented petition of citizens of Cedar Rapids, Iowa, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Dent presented petition of citizens of Ida county, favoring revision of revenue laws, favoring protection to makers of promissory notes, favoring adoption of Australian ballot laws, laws for the extermination of wolves, election of United States Senators by direct vote of the people, etc.

Referred to Committee on Ways and Means.

Senator Dent presented petition of citizens of Ida county, favoring the passage of "Conger Lard Bill" and the "Option Bill."

Referred to Committee on Federal Relations.

Senator Perry presented protest and remonstrance of Young Peoples' Christian Endeavor Society of Knoxville, against the repeal of the prohibitory law; against the sale of intoxicating liquors on Worlds' Fair grounds; against keeping Worlds' Fair open on Sunday.

Referred to Committee on Suppression of Intemperance.

Senator Palmer presented petition of 984 persons of Henry county, also resolution of citizens of Mount Pleasant, same county, protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith, of Wapello, presented petition of citizens of Wapello county, favoring erection of soldiers' monument.

Referred to Committee on Military.

Senator Gobble presented remonstrance of W. C. T. U. of Muscatine, Iowa, against any change in prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Hager presented petition of 548 citizens of Madison county, favoring the erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Reynolds presented petition of doctors and druggists of Appanoose county, protesting against the passage of Senate file No. 53 and House file No. 269.

Referred to Committee on Pharmacy.

Senator Reynolds presented petition of William Bradley, Jr., and twenty-five other members of Company E, Second Regiment, I. N. G., of Centerville, Appanoose county, protesting against the decrease of their *per diem* while on duty.

Referred to Committee on Military.

REPORTS OF STANDING COMMITTEES.

Senator Mosnat, chairman from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 10, joint resolution proposing to amend the constitution so as to prohibit intoxicating liquors from being manufactured or sold as a beverage, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Leave was granted for the subsequent filing of a minority report.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 297, a bill for an act to amend chapter 159 of the acts of the Twentieth General Assembly, of the State of Iowa, to repeal section 4 thereof, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that all after enacting clause be struck out and House file No. 427 be substituted therefor, and that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Kent, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 263, a bill for an act to amend section 9, of chapter 60, of the laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 10, a bill for an act to authorize private banking firms, associations, etc., to incorporate under the general laws of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate file No. 152, a bill for an act to restrain hunters from trespassing without permission, and providing penalties therefor, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 268, a bill for an act providing for the establishment, alteration, or vacation and establishment of public highways at the expense of the counties, in certain cases, beg leave to report that they have had the same under consideration, and have prepared the enclosed substitute in lieu thereof, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 149, a bill for an act creating a board of school book commissioners and to provide for furnishing text books for the use of the common schools of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 227, a bill for an act to provide for special exercises in the public schools upon a day to be known as Arbor Day, beg leave to report that they have had the

same under consideration, and have instructed me to report the same back to the Senate without recommendation.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 228, a bill for an act requiring United States flags to be placed in all schools within the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out in the third line of section 1, the words, "of standard bunting," and by striking out, in section 2, all after the words, "school boards," up to and including the word, "teachers," and by striking out all of section 3, and when so amended that the bill do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 322, a bill for an act to amend section 1822, chapter 9, title 12 of the Code, in relation to maturity of school bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

At 10:30 o'clock, the hour having arrived for the special order, being the adoption of the substitute for Senate file No. 23, the Senate proceeded to the discussion of the special order.

Senator Gatch offered the following amendment to the substitute for Senate file No. 23, and moved its adoption:

Amend, first, by striking out of line 1, section 1, of printed bill, the words "two-fifths" and inserting in lieu thereof the words "one-fifth."

Second. By striking out of line 7 of section 4, the words "property owners," and inserting in lieu thereof the words, "the resident freeholders;" and by inserting at the end of line 2 in section 9, the words: "measured on the street line."

Third. By striking out of line 5, section 6, the word "the" where it first occurs, and inserting in lieu thereof the word "any;" and by further striking out the words, "amount of the."

Fourth. By striking out line 31 of section 7, and changing the numbering of the following lines of the section correspondingly.

Fifth. By striking out of line 3, section 9, the words, "place used for" and inserting in lieu thereof the word "public." By further striking out of said line the word "purpos es."

Sixth. By inserting in line 6, section 10, after the word "and," the following: "Upon conviction of a second offense, shall be punished by a fine of not less than fifty nor more than two hundred dollars." And

Seventh. By striking out of line 1, section 11, the words "to sell" and inserting in lieu thereof the words, "for the sale only of."

Eighth. By inserting at the end of line 3, section 12, after the word "Sunday," the words "or shall keep his place of business open on Sunday;" and by striking out

of line 4 in the same section the word "fifty," and inserting in lieu thereof the words "one hundred;" and by striking out the word "one" in line 5 of same section and inserting in lieu thereof the word "two;" and by striking out the word "exceeding" in the same line and inserting in lieu thereof the words "less than;" and by inserting between the words "thirty" and "days" in the same line, the words, "nor more than sixty;" and by adding at the end of the section the following: "And for the second offense shall be subject to the same penalty, and in addition shall forfeit his permit."

Ninth. By inserting in line one of section 14, after the word "act," the words "for the sale only of spirituous, malt, fermented and vinous liquors."

Tenth. By inserting in line three of section 15, after the word "act," the words "for the sale only of spirituous, malt, fermented and vinous liquors."

Eleventh. By striking out sections 16, 17, 18 and 19, and inserting in lieu thereof the following:

"Section 16. Every wife, child, parent, guardian, employer or other person who shall be injured in person or property or means of support by any intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, shall have a right of action in his or her own name against any person who shall by selling intoxicating liquors cause the intoxication of such person, for all damages actually sustained, as well as exemplary damages; and a married woman shall have the same right to bring suits, prosecute and control the same and the amount recovered as if a single woman. And all damages recovered by minors under this section, shall be paid either to such minor, or his parent, guardian or next friend, as the court shall direct; and all suits for damages under this section shall be by civil action in any court having jurisdiction thereof."

Twelfth. By changing the number of section 20 to section 17, and by adding the following as section 18:

Section 18. Every person holding a permit under the provisions of this act to manufacture and sell spirituous, malt, fermented and vinous liquors, who shall sell any of said liquors at retail shall be subject to the same penalties herein provided for unlawful sales by persons holding permits to sell only.

Thirteenth. By adding the following at the end of section 19: "And provided further, that the sales, or keeping with intent to sell, of intoxicating liquors, including ale, wine and beer, by any person not holding a permit as specified in this act, or not a registered pharmacist, shall subject such person and property occupied by him to the penalties and liabilities provided by law for such acts in counties in which permits are not authorized by vote of the people as herein specified."

Fourteenth. By changing the numbering of section 21 to section 19, and by changing the number of section 22 to section 30.

Fifteenth. By striking out the word "manufacture" at the end of line 6, section 7, and to insert in lieu thereof the word "sale;" and by inserting after the word "or" in line 11 of section 6, the words "clerk of the."

Pending the discussion of the substitute bill for Senate file No. 23, the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment at 2:00 o'clock P. M., President *pro tem* Kelly presiding.

The Senate resumed consideration of the substitute for Senate file No. 23, being a continuation of the special order.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House file No. 404, a bill for an act to legalize the formation of the Independent School District of Pleasant Ridge No. 7, and North River No. 4, Warren township, Keokuk county, Iowa.

Also:

House file No. 147, a bill for an act to allow any city or town having a superior court to abolish the same in any manner prescribed in this act.

Also:

House file No. 56, a bill for an act to amend section 996, of the Code, relative to the meeting of township trustees.

Also:

House file No. 402, a bill for an act to enable the inhabitants of two counties lying contiguous to each other to arrange into a city or incorporated town, and defining jurisdiction of mayors thereof.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked: Relative to the pardon of William Riddle, now serving a life sentence in the penitentiary.

CHARLES BEVERLY, *Chief Clerk.*

Senator Bailey was called to the chair.

Senator Harsh moved that the State Printer be ordered to print and return to the Senate by to-morrow morning six hundred copies of the substitute for Senate file No. 23, together with the proposed amendments.

Senator Dent moved that the motion be amended by making the number one thousand copies.

Senator Mack moved to amend the amendment, by making the number to be printed three hundred copies.

The amendment offered by Senator Mack was adopted.

The original motion as amended was adopted.

On motion of Senator Harsh the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, March 4, 1892. }

Senate met in regular session at 10 o'clock A. M., President *pro tem.* Kelly, presiding.

Prayer by Rev. D. McPherson, of Des Moines, Iowa.

Senator Kent, moved that Senate file No. 254, be recalled from the Committee on Corporations, and it be referred to the Committee on Banks and Banking.

Lost.

Senator Smith, of Wapello, presented remonstrance of citizens of Wapello county, protesting against the passage of Gatch substitute for Senate file No. 23.

Referred to Committee on Suppression of Intemperance.

Senator Reiniger presented petition of Christian Endeavor Society of Nora Springs, Iowa, favoring the closing of the Columbian Exposition on Sunday.

Referred to Committee on Appropriations.

Senator Vale presented petition of Christian Endeavor Society of Pleasant Plain, Jefferson county, asking the closing of World's Fair on Sabbath.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Special Committee, Senate file No. 337, a bill for an act to provide compensation for Samuel N. Parsons, Secretary of the Senate.

By Senator Smith, of Butler, Senate file No. 338, a bill for an act appropriating to Window and Crampton for capturing and otherwise breaking up certain live stock thieves.

Read first and second times and referred to Committee on Appropriations.

REPORTS OF COMMITTEES.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—The Committee on Federal Relations, to which was referred sundry petitions asking the General Assembly to memorialize the Congress of the United States for the passage of the "Conger Lard Bill," and for legislation against

"Options," etc., beg leave to report that joint resolutions and memorials to Congress have been passed by the Senate fully covering the subject of all said petitions and asking the relief prayed for; wherefore I have been instructed to return the same, with the recommendation that their further consideration be indefinitely postponed.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—The special committee to which was referred the communication of the Speaker of the House of Representatives, relative to the payment of Samuel N. Parsons, Secretary of the Senate, beg leave to report that it has had the same under consideration and the majority has instructed me to report a bill providing for his compensation, which accompanies this report and recommends that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 210, a bill for an act relating to the Industrial Home for the Blind, at Knoxville; to the board of commissioners thereof and providing trustees therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted: Strike out the word "residence" in the second line of section 3, and insert the word "settlement" in lieu thereof. Strike out all of section 7 after the word "services" in the second line of said section, and insert in lieu thereof the words "four dollars per day, and such mileage or expenses as may now or hereafter be allowed by law for trustees of other State institutions." And when so amended that the bill do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate file No. 327, a bill for an act giving legislative assent to the "Purposes of the Congressional act of August 30, 1890, in regard to the more complete endowment and support of Colleges for the benefit of Agriculture and Mechanic arts," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices to regulate the manner of holding elections and to enforce secrecy of the ballot, beg leave to report that they have had the same under consideration, have prepared a substitute therefor and have instructed me to report the same back to the Senate with the recommendation that substitute do pass.

I am directed further to report that House file No. 46 came to this committee written in pencil on forty sheets of print paper, with amendments added on tabs attached to the sides of the sheets where such amendments were supposed to be inserted. The sheets were so entirely filled with writing that it was impossible to join them together without destroying or covering some of the manuscript. In order that the committee might fully and intelligently consider the bill they deemed it necessary to have the same printed with the House amendments, and then, after a full consideration, the committee deemed it unsafe to recommend the bill for passage in the loose and unreliable form of the original manuscript.

The substitute, as here reported, is substantially the same as House file No. 46, with a few amendments made by this committee, sufficient to justify the committee in designating it as a substitute.

J. J. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 17, a bill for an act legalizing incorporation ordinances, and acts of officers of Sac City, in the county of Sac, State of Iowa.

Also :

House file No. 22, a bill for an act legalizing the incorporation of the incorporated town of College Springs, Page county, Iowa, and the incorporate acts and ordinances of said town and officers.

Also:

House file No. 6, a bill for an act to legalize the incorporation and acts of the incorporated town of Thornburg, in Keokuk county.

Also:

House file No. 64, a bill for an act legalizing the incorporation and the official acts of the council and other officers of incorporated town of Alta, Buena Vista county, Iowa, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Finn, moved that when the Senate adjourns, that it do adjourn until 2 o'clock this afternoon.

Lost.

Senator Andrews, moved that Senate file No. 163, be recalled from the Committee on Public Health, and that it be re-committed to the Committee on Agriculture.

Carried.

Senator Finn, moved that when the Senate adjourns, that it do adjourn until Tuesday at 10 o'clock A. M.

Lost.

On motion of Senator Smith, of Wapello, the substitute for House file No. 46, a bill for an act to provide for the printing and distributing of ballots at public expense and for the nomination of candidates for public officers, to regulate the manner of holding elections and to

enforce secrecy of the ballot, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Smith of Wapello, the substitute was read a first and second time.

At 10:30 o'clock a committee from the House appeared in the Senate chamber and informed the Senate that the House was ready to receive them in joint session for the purpose of electing trustees and regents of the various State institutions, State Printer, State Binder, and Wardens of the penitentiaries, whereupon the Senate adjourned to meet the House in joint session.

JOINT CONVENTION.

At 10:30 the Sergeant-at-arms announced the Senate in a body, who took seats on the west side of the House, that part having been made vacant by members for accommodation.

Lieutenant-Governor Bestow being absent, Speaker Mitchell presided during the joint convention.

The roll was called, showing that those present were:

Messrs. Addie, Andrews, Austin, Bailey, Beach, Beem, Bitterman, Boise, Bolter, Briggs, Britt, Brooks of Boone, Brower, Bruce, Campbell, Carpenter, Carter, Castle, Chantry, Chase, Clark, Cleveland, Coffin, Conaway, Coonley, Crawford, Cunningham, Dayton, Dent, Doane, Dodge, Dolph, Drewry, Ellickson, Ellis, Engle, Everall, Felkner, Finn, Flanagan, Fuhrmeister, Funk, Gardiner of Clinton, Gardner of Washington, Gatch, Gilbert, Gitchell, Glattly, Gobble, Goodwin, Green, Groneweg, Guinn, Hager, Harmon, Harriman, Harsh, Hart, Haselton, Hinman, Hipwell, Holiday, Holland, Hoover, Hornish, Horstman, Horton, Hurst, Jamison, Jay, Jewett, Jewell, Johnston, Jones, Kasa, Kelly, Kent, Lane, Lewis of Wayne, Linderman, Louis of Shelby, McCall, McCann, McNeeley, Mack, Marti, Mattoon, Miller, Mitchell, Moore, Morison, Morrow, Mosnat, Nemmers, Norris, Oleson, Palmer, Parrott, Patterson, Penney, Perkins, Perry, Potter, Reiniger, Reynolds, Rich, Richman, Robinson, Saberson, Schmidt, Shrooter, Schultz, Sells, Shields, Shriver, Smith of Butler, Smith of Kossova, Smith of Wapello, Smith of Wright, Smyth, Sowers, Spaulding, Spearman, Springer, Steen, Stewart, Stillmunkes, Stone, Stuntz, Terry, Turner, Vale, Van Gilder, Ware, Warren, Watkins, Welch, Wilken, Williams, Wilson, Wyckoff, Yeomans, Yost, Young—144.

Absent:

Messrs. Bishop, Brooks of Audubon, Chamberlin, Gillman, Jester, Sharpnack—6.

Senator Gobble was announced as teller on behalf of the Senate and Representative Coffin as teller on behalf of the House.

Senator Parrot offered the following:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in joint convention assembled, That the following named persons are hereby declared elected Trustees, Directors and Regents of the various State institutions, to-wit:

TRUSTEES OF THE IOWA AGRICULTURAL COLLEGE AND FARM.

First District—Hamilton Smith, of Jefferson county.....6 years.
Fourth District—C. G. Patten, of Floyd county.....6 years.
Eighth District—A. B. Shaw, of Adams county.....6 years.

TRUSTEES FOR COLLEGE FOR BLIND.

C. O. Harrington, Benton county.... 4 years.
 William Sawyer, Delaware county.....4 years.
 Thomas Bell, Jefferson county.....4 years.

TRUSTEE FOR HOSPITAL FOR INSANE AT CLARINDA.

T. McK. Stuart, of Pottawattamie county.....6 years.

TRUSTEES FOR HOSPITAL FOR INSANE AT INDEPENDENCE.

. R. Kirk, of Cerro Gordo county.....4 years.
 W. E. Rosemond, of Buchanan county.....4 years.
 F. E. Whitely, of Hamilton county.....4 years.

TRUSTEES FOR HOSPITAL FOR INSANE AT MT. PLEASANT.

J. H. Kulp, Scott county.....4 years.
 J. C. Barringer, Mahaska county.....4 years.

TRUSTEES FOR THE INDUSTRIAL SCHOOL.

W. J. Moir, Hardin county.....6 years.
 Mrs. Marian Loomis, Fayette county.....6 years.

TRUSTEE FOR INSTITUTION FOR DEAF AND DUMB.

A. T. Flickinger, Pottawattamie county.....6 years.

TRUSTEE FOR INSTITUTION FOR FEEBLE-MINDED.

Wm. H. Hall, Clark county.....6 years.

DIRECTORS FOR STATE NORMAL SCHOOL.

J. W. Jarnigin, Poweshiek county.....6 years.
 W. W. Montgomery, Montgomery county.....6 years.

TRUSTEE FOR SOLDIERS' ORPHAN HOME.

Mrs. F. H. Ketchum, Henry county.....4 years.

MEMBERS OF BOARD OF REGENTS OF STATE UNIVERSITY.

Fifth District—W. R. MONINGER, of Marshall county, six years.
Seventh District—J. D. McCLEARY, of Warren county, two years.
Eighth District—C. A. STANTON, of Appanoose county, six years.
Ninth District—SHIRLEY GILLILAND, of Mills, six years.

Mr. Reiniger moved to amend by striking out the name of C. G. Patten, of Floyd county, for trustee of the agricultural college and

inserting that of Addis Schermmerhorn, of Floyd county, in lieu thereof.

Motion prevailed.

The roll was called and

Those voting for the resolutions were:

Messrs. Andrews, Austin, Bailey, Beach, Bitterman, Boise, Britt, Brooks of Boone, Brower, Bruce, Carpenter, Carter, Chantry, Chase, Clark, Coffin, Conaway, Coonley, Crawford, Doane, Dolph, Drewry, Ellickson, Finn, Funk, Gardner of Washington, Gatch, Goodwin, Hager, Harmon, Harriman, Harsh, Holiday, Holland, Hoover, Jamison, Jay, Jewett, Jones, Kasa, Lane, Lewis of Wayne, Linderman, McCall, McNeeley, Mack, Miller, Mitchell, Moore, Morrow, Norris, Palmer, Parrott, Penney, Perkins, Reiniger, Reynolds, Saberson, Sells, Shriver, Smith of Kossuth, Smith of Wright, Smyth, Sowers, Spaulding, Spearman, Steen, Stone, Stuntz, Turner, Vale, Van Gilder, Watkins, Williams, Wilson, Wyckoff, Young—77.

The nays were:

None.

Absent or not voting were:

Messrs. Addie, Beem, Bishop, Bolter, Briggs, Brooks of Audubon, Campbell, Castle, Chamberlin, Cunningham, Dayton, Dent, Dodge, Ellis, Engle, Everall, Felkner, Flanagan, Fuhrmeister, Gardiner of Clinton, Gilbert, Gillman, Gitchell, Glattly, Gobble, Green, Groneweg, Guinn, Hart, Haselton, Hinman, Hipwell, Hornish, Horstman, Horton, Hurst, Jester, Jewell, Johnston, Kelly, Kent, Louis of Shelby, McCann, Marti, Mattoon, Morison, Mosnat, Nemmers, Oleson, Patterson, Perry, Potter, Rich, Richman, Robinson, Schmidt, Schrooten, Schultz, Sharpnack, Shields, Smith of Butler, Smith of Wapello, Springer, Stewart, Stillmunkes, Terry, Ware, Warren, Welch, Wilken, Yeomans, Yost—73.

So the resolution was adopted, and the persons named therein declared elected.

Mr. Mack offered the following and moved its adoption:

Be it Resolved by the Senate and the House of Representatives of the State of Iowa in joint convention assembled, That the following named persons are hereby declared to be duly elected to the following named positions, viz:

E. C. McMillan, of Marshall county, to be warden of the penitentiary at Fort Madison, Iowa, for the ensuing term.

P. W. Madden, of Clay county, to be warden of the penitentiary at Anamosa, Iowa, for the ensuing term.

Otto Nelson, of Polk county, for state binder for the term commencing January 1, 1893.

Geo. H. Ragsdale, of Plymouth county, for state printer for the term commencing January 1, 1893.

The roll was called and

Those voting for the resolution were:

Messrs. Andrews, Austin, Bailey, Beach, Bitterman, Boise, Britt, Brooks, of Boone, Brower, Bruce, Carpenter, Carter, Chantry, Chase, Clark, Coffin, Conaway, Coonley, Crawford, Doane, Dolph, Drewry, Ellickson, Finn, Funk, Gardner, of Washington, Gatch, Goodwin, Hager, Harmon, Harriman, Harsh, Holiday, Holland, Hoover, Jamison, Jay, Jewett, Jones, Kasa, Lane, Lewis, of Wayne, Linderman, McCall, McNeeley, Mack, Miller, Mitchell, Moore, Morrow, Norris, Palmer, Parrott, Penney, Perkins, Reiniger, Reynolds, Saberson, Sells, Shriver, Smith, of Kossuth, Smith, of Wright, Sowers, Spaulding, Spearman, Steen, Stone, Stuntz, Turner, Vale, Van Gilder, Watkins, Williams, Wilson, Wyckoff, Young—76.

The nays were:

None.

Absent or not voting:

Messrs. Addie, Beem, Bishop, Bolter, Briggs, Brooks of Boone, Campbell, Castle, Chamberlin, Cleveland, Cunningham, Dayton, Dent, Dodge, Ellis, Engle, Everall, Felkner, Flanagan, Fuhrmeister, Gardiner of Clinton, Gilbert, Gillman, Gitchell, Glattly, Gobble, Green, Groneweg, Guinn, Hart, Haselton, Hinman, Hipwell, Hoover, Hornish, Horstman, Horton, Hurst, Jester, Jewell, Johnston, Kelly, Kent, Louis of Shelby, McCann, Marti, Mattoon, Morison, Mosnat, Nemmers, Oleson, Patterson, Perry, Potter, Rich, Richman, Robinson, Schmidt, Schrooten, Schultz, Sharpnack, Shields, Smith of Butler, Smith of Wapello, Smyth, Springer, Stewart, Stillmunkes, Terry, Ware, Warren, Welch, Wilken, Yeomans, Yost—74.

So the resolution was adopted, and the persons named therein declared elected.

Senator Parrott offered the following and moved its adoption:

Be it Resolved by the Senate and House of Representatives of the State of Iowa in joint convention assembled, That the following named persons are hereby declared to be duly elected trustees of the various State institutions:

Trustees of Iowa Agricultural College and Farm, Second district, C. M. Dunbar, Jackson county, six years; Fifth district, Cato Sells, Benton county, two years.

Trustee of the Hospital for the Insane at Clarinda, J. D. M. Hamilton, of Lee county, six years.

Trustee for the Hospital for the Insane at Independence, Edward Hornibrook, Cherokee county, four years.

Trustee for the Soldiers' Orphans' Home at Davenport, A. P. Doe, of Scott county, six years.

The roll was called, and

Those voting for the resolution were:

Messrs. Austin, Bailey, Bitterman, Boise, Britt, Brooks of Boone, Bruce, Carter, Carpenter, Chantry, Coffin, Conaway, Coonley, Crawford,

Dent, Doane, Drewry, Funk, Gardiner of Clinton, Gardner of Washington, Gatch, Goodwin, Harmon, Harriman, Harsh, Hoover, Hornish, Hurst, Jones, Kasa, Kent, Lane, Lewis of Wayne, Linderman, McCall, McNeeley, Mack, Miller, Mitchell, Moore, Morrow, Norris, Parrott, Penney, Perkins, Reiniger, Reynolds, Saberson, Sells, Shriver, Smith of Kossuth, Smith of Wright, Sowers, Spaulding, Spearman, Stone, Stuntz, Vale, Wilken, Williams, Wilson, Wyckoff—62.

Those voting against the resolution were:

Messrs. Felkner, Johnston, Schrooten, Steen—4.

Absent or not voting, were:

Messrs. Andrews, Beach, Bishop, Bolter, Briggs, Brooks of Audubon, Brower, Campbell, Castle, Chamberlin, Chase, Clark, Cleveland, Cunningham, Dayton, Dolph, Ellickson, Ellis, Engle, Everall, Fuhrmeister, Gilbert, Gillman, Gitchell, Glattly, Gobble, Green, Groneweg, Hager, Haselton, Hinman, Hipwell, Holiday, Holland, Horton, Jamison, Jay, Jester, Jewett, Jewell, McCann, Marti, Mattoon, Morison, Mosnat, Nemmers, Oleson, Palmer, Perry, Potter, Rich, Richman, Robinson, Schmidt, Schultz, Sharpnack, Shields, Smith of Butler, Smith of Wapello, Springer, Stewart, Stillmunkes, Terry, Turner, Van Gilder, Ware, Warren, Watkins, Welch, Yeomans, Yost, Young—62.

Present but not voting, were:

Messrs. Addie, Beem, Dodge, Finn, Flanagan, Guinn, Hart, Horstman, Kelly, Louis of Shelby, Patterson, Saberson—12.

So the resolution was adopted, and the persons named therein were declared elected.

Whereupon the following certificates were signed in the presence of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Hamilton Smith having received a majority of all the votes cast for said office, was duly declared elected trustee of the Iowa Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Addis Schemmerhorn having received a majority of all the votes cast for said office, was duly declared elected trustee of the Iowa Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, A. B. Shaw, having received a majority of all the votes cast for said office, was duly declared elected trustee of the Iowa Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, C. O. Harrington having received a majority of all the votes cast for said office, was declared duly elected trustee for the college for the blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, William Sawyer having received a majority of all the votes cast for said office, was declared duly elected trustee for the college for the blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Thomas Bell having received a majority of all the votes cast for said office, was declared duly elected trustee for the college for the blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, T. Mck. Stewart having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Clarinda for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, I. R. Kirk having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Insane Hospital at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, March 4, 1892 }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, W. E. Rosmend having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Insane Hospital at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, F. E. Whitley having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, S. H. Kulp having received a majority of all the votes cast for said office was declared duly elected Trustee for the Insane Hospital at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, J. C. Barringer having received a majority of all the votes cast for office was declared duly elected Trustee for the Hospital for the Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, W. L. Moir having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Industrial Schools at Eldora for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Mrs. Marian Loomis having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Industrial School at Eldora for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, A. T. Flickenger having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Institution for Deaf and Dumb at Council Bluffs for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, W. H. Hall having received a majority of all the votes cast for said office, was declared duly elected trustee for the Institution for Feeble Minded Children for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, J. W. Jarnagan having received a majority of all the votes cast for said office, was declared duly elected director of the State Normal School for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, W. W. Montgomery having received a majority of all the votes cast for said office, was declared duly elected a Director of the State Normal School for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Mrs. F. H. Ketchum having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home at Davenport for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, W. R. Moninger having received a majority of all the votes cast for said office, was declared duly elected a Member of the Board of Regents of the Iowa State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES; }
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, J. D. McCleary having received a majority of all the votes cast for said office, was declared duly elected a Member of the Board of Regents of the Iowa State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, C. A. Stanton, having received a majority of all the votes cast for said office, was declared duly elected a Member of the Board of Regents of the Iowa State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.

W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.

N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Shirley Gilliland having received a majority of all the votes cast for said office, was declared duly elected a Member of the Board of Regents of the Iowa State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, E. C. McMillan having received a majority of all the votes cast for said office, was duly declared elected warden of the penitentiary at Ft. Madison for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, P. W. Madden having received a majority of all the votes cast for said office, was declared duly elected warden of the penitentiary at Anamosa, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Otto Nelson having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, George H. Ragsdale having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, C. M. Dunbar having received a majority of all the votes cast for said office, was duly declared elected trustee of the Iowa Agricultural College and Farm for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST :

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two Houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Cato Sells, having received a majority of all the votes cast for said office, was declared duly elected trustee of the Iowa Agricultural College and Farm for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, J. D. M. Hamilton having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Clarinda for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,

President pro tem. of the Senate.

W. O. MITCHELL,

Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,

Teller of the Senate.

N. E. COFFIN,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, Friday, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, Edward Hornibrook having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Insane Hospital at Independence for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.
 W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.
 N. E. COFFIN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 4, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Friday, the 4th day of March, A. D. 1892, for the purpose of electing the officers of the various State institutions, A. P. Doe having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home at Davenport for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of March, A. D. 1892.

M. J. KELLY,
President pro tem. of the Senate.
 W. O. MITCHELL,
Speaker of the House of Representatives.

ATTEST:

J. M. GOBBLE,
Teller of the Senate.
 N. E. COFFIN,
Teller of the House of Representatives.

Senator Mack offered the following resolution and moved its adoption:

Resolved, That the clerk of this joint convention be instructed to wait upon the Governor and present the credentials of the newly elected officers of the several institutions.

Adopted.

The journal of the joint convention was read and approved.

On motion of Mr. Mack the joint convention dissolved and the Senate retired.

Senate reconvened at 12:10 P. M.

On motion of Senator Lewis, two hundred extra copies of Senate file No. 218 were ordered printed as amended and substituted.

The chair announced the name of Senator Smith, of Wapello, and Vale as a joint committee on enrolled bills.

Senator Yeomans moved that the special order being the Gatch substitute be continued on Tuesday, March 8th at 10:30 A. M.

Senator Gatch moved to amend that as the amended substitute for Senate file No. 23 had been wrongfully printed, that 300 extra copies be printed correctly.

Senator Dent moved to make the number 600 copies. The amendments were accepted by Yeomans and the motion carried.

Senate adjourned until 7:30 this evening.

EVENING SESSION.

The Senate met pursuant to adjournment at 7:30 o'clock P. M. President *pro tem*. Kelly, presiding.

The following pairs were announced:

Senators Terry and Chantry; Reynolds and Smith of Wapello, until Tuesday.

Senator Kent, moved that as no quorum is present, the Senate adjourn for fifteen minutes.

Carried.

The Senate reconvened.

BILLS ON THIRD READING.

Senate file No. 136, a bill for an act to amend chapter 105, of the acts of the Twenty-second General Assembly, relating to the relief of Union soldiers, sailors and marines, and the indigent wives, widows

and minor children of indigent or deceased Union soldiers, sailors and marines, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 187, a bill for an act to repeal section 4055, of the Code, and to enact a substitute therefor, relating to diseased cattle, hogs and sheep, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 186, a bill for an act to license and regulate the keeping of stallions for service, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate joint resolution, No. 5, a joint resolution asking Congress to pass the "Option Bill," with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 209, a bill for an act to amend section 2529, Code of 1873, relative to limitation of actions against sureties on bonds of public officers, with report of committee recommending that the same be indefinitely postponed was taken up, considered, and the report of the Committee was adopted

Senate file No. 171, a bill for an act to direct the manner of voting on school-house questions in all independent districts, in cities and in incorporated towns at the annual meeting on the second Monday in March, under section 180 of the Code, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 172, a bill for an act legalizing revised ordinance No. 21, passed October 19, 1888, by the town council of Belle Plaine, Iowa, and the acts of the town council in passing same, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 148, a bill for an act to amend section 326 of the Code of Iowa, in reference to the terms of county auditor and county treasurer, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate file No. 164, a bill for an act to amend the law relating to conspiracy, and to amend 4087, Code of Iowa, 1873, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 127, a bill for an act to amend section 589 of the

Code, in reference to the election of county recorder, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 16, a bill for an act to amend section 17, chapter 28 of the acts of the Twenty-second General Assembly so as to prohibit increased freight rates and higher classification of freights on railroads within the State, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 175, a bill for an act to provide for the intervention by the State in certain proceedings and suits, and to provide a method of procedure, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate file No. 233, a bill for an act to amend section 2223, chapter 3, title 15 of the Code in relation to divorce, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 32, a bill for an act to prevent the pollution of rivers and sources of water supply, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 144, a bill for an act to amend section 12, chapter 151, acts of the Eighteenth General Assembly, in relation to the State Board of Health, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 59 a bill for an act to repeal chapter 59 of the laws of the Seventeenth General Assembly, in relation to taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 189, a bill for an act to amend section 4299, of chapter 2, of title 18 of the Code of Iowa, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 71, a bill for an act to amend chapter 59, of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charter, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 126, a bill for an act to require boards of county supervisors to ascertain the amount of school funds belonging to the

county remaining unloaned on the first day of each regular session, and to have a statement thereof published with the proceedings of said board, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Mosnat, Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg, Benton county, Iowa, the election of its officers and all acts done and ordinances passed by council of said town, with report of committee recommending that the bill do pass was taken up, considered, and the report of the committee was adopted.

Senator Mosnat moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Dent, Dodge, Funk, Gobble, Green, Hager, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Wright, Stewart, Vale—29.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Conaway, Engle, Everall, Finn, Gardiner, Gatch, Groneweg, Hurst, Jewett, McCall, Mattoon, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Turner, Yeomans—21.

So the bill passed and the title was agreed to.

Senate file No. 72, a bill for an act amending sections 11 and 12, of chapter 14, of the laws of the Twenty-third General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 270, a bill for an act for the registration of pedigrees, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Parrott Senate file No. 231, a bill for an act to legalize the official action of C. R. Wood, a notary public of Hancock county, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Parrott moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Dent, Dodge, Funk, Gobble, Green, Hager, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Smith of Wright, Stewart, Vale—28.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Conaway, Engle, Everall, Finn, Gardiner, Gatch, Groneweg, Hurst, Jewett, McCall, Mattoon, Perkins, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Turner, Yeomans—22.

So the bill passed and the title was agreed to.

On motion of Senator Hager, Senate file No. 177, a bill for an act to legalize the acts of the board of supervisors of Madison county, Iowa, in relation to refunding its bonded indebtedness, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Hager moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Dent, Dodge, Funk, Gobble, Green, Hager, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Smith of Wright, Stewart, Vale—28.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Conaway, Engle, Everall, Finn, Gardiner, Gatch, Groneweg, Hurst, Jewett, McCall, Mattoon, Perkins, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Turner, Yeomans—22.

So the bill passed and the title was agreed to.

Senate file No. 153, a bill for an act to amend section 645, chapter 10 of the Code, in relation to issuing bonds for improvements in cities and towns, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 178, a bill for an act to amend sections 289 and 290, of the Code of 1872, as amended by chapter 26, Code of the Twenty-third General Assembly of the State of Iowa, relating to the bonding of county indebtedness, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 17, a bill for an act to amend section 2, chapter 10, laws of the Twenty-first General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 87, a bill for an act to provide for the collection, by suit, of taxes on personal property omitted from assessment in certain cases, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 110, a bill for an act to render privileged confidential communications to editors, publishers and reporters of newspapers, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 183, a bill for an act to repeal section 897, of the Code, and to enact a substitute therefor, relating to tax deeds, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 108, a bill for an act to amend section 1776 of the Code, and to reduce and limit the compensation of county superintendents, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 137, a bill for an act amending section 3074, chapter 2, Title XVIII, of the Code of 1873, relative to exemptions, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 88, a bill for an act to amend section 506 of the Code of 1873, with report of committee recommending that the bill be re-committed to the Committee on Cities and Towns, was taken up, considered, and the report of the committee was adopted.

Senate file No. 129, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to the State Board of Health, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Stewart, Senate file No. 140, a bill for an act to legalize the extension of the limits of Colfax, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Stewart moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Dent, Funk, Gobble, Green, Hager, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Stewart, Vale--26.

The nays were :

None.

Absent or not voting :

Senators Bolter, Brower, Conaway, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Groneweg, Hurst, Jewett, McCall, Mattoon, Perkins, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Yeomans--24.

So the bill passed and the title was agreed to.

Senate file No. 190, a bill for an act to discourage incendiarism, prevent speculation, save property for taxation, and to define the liability of insurance companies in certain cases, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 322, a bill for an act to amend section 1822, chapter 9, Title XII of the Code, in relation to the maturity of school bonds, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

HOUSE BILLS.

House file No. 147, a bill for an act allowing any city or town now having a superior court, and to abolish the same in the manner prescribed by this act. Read first and second times and referred to Committee on Judiciary.

House file No. 402, a bill for an act to enable the inhabitants of two counties lying contiguous to each other, to arrange into a city or incorporated town, and defining the jurisdiction of mayors. Read first and second times and referred to Committee on Cities and Towns.

House file No. 259, a bill for an act to legalize the reincorporation of the Presbyterian church of Toledo, Tama county, Iowa. Read first and second times and referred to Committee on Judiciary.

House file No. 116, a bill for an act to legalize certain acts of independent school district of Table Mound and Salem, of Dubuque county, Iowa, and annexation of territory.

Read first and second times and referred to Committee on Judiciary.

House file No. 96, a bill for an act legalizing the acts and ordinances of the incorporated town of Charter Oak, Crawford county, Iowa.

Read first and second times and referred to Committee on Judiciary.

House file No. 216, a bill for an act to legalize the incorporation of the town of Monroe, Jasper county, Iowa, the election of its officers, all acts done and ordinances passed by the council of said town.

Read first and second times and referred to Committee on Judiciary

INTRODUCTION OF BILLS.

By Senator Dent, Senate file No. 339, a bill for an act relative to reports from railroad companies.

Read first and second times and referred to Committee on Railways.

COMMITTEE REPORTS.

Senator Dent, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred the resolution, "That the Committee on Compensation of Public Officers is hereby requested to investigate and report to this Senate as soon as possible, whether or not any of the employes of the Senate have at any time during this session received for their services more than they are legally entitled to," beg leave to report that they have had the same under consideration and have instructed me to submit the following report:

The committee find the following officers were elected on January 14th, qualified on the 15th, and drew pay from the 11th, when the session began:

	<i>Per day.</i>	<i>Total.</i>
W. F. Conkin.....	\$6.00	\$24.00
C. F. Swift....	6.00	24.00
Pearl Chamberlain.....	5.00	20.00
Mabel Moore.....	5.00	20.00
F. G. Yeomans.....	4.00	16.00
Estella Stubbs.....	4.00	16.00
Judd Griggs.....	4.00	16.00
H. C. Kemmer	4.00	16.00
Henry Morrison	4.00	16.00
L. D. Van Gorder.....	4.00	16.00
John W. Rucker.....	4.00	16.00
David Richart	4.00	16.00
B. M. Belvel.....	4.00	16.00
G. A. Fairfield.....	5.00	20.00
S. J. Spaulding	5.00	20.00

That M. Lynch and John McCulloch received double pay for five days, amounting to \$20.00 each—drawing pay for the five days both as temporary and permanent door-keepers from January 11th to January 15th, inclusive.

That Emma Lathrop was elected post-mistress on January 14th, was qualified on the 19th, and drew pay from January 11th, at \$4.00 per day.

George Craig, janitor of the Senate; appointed January 22d, and drew pay from January 12th.

H. C. Shaver, elected President's clerk at \$3.00 per day January 15th; salary fixed at \$4.00 per day January 27th.

12 days at \$3.00	\$ 36.00
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20 days at 4.00	80.00
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	<u>\$ 116.00</u>
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Amounts paid	\$ 144.00
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PAGES.

James Bogess, page, appointed January 25th; drew pay from January 15th.

Clarence Logan, page, appointed January 22d; drew pay from January 15th.

WM. H. DENT, *Chairman.*

Ordered passed on file.

Senator Cleveland moved to adjourn.

Senator Harmon moved to amend by making the time until Tuesday morning at 10 o'clock.

The amendment was lost.

The question now being upon Senator Cleveland's motion to adjourn.

Carried; and Senate adjourned until 10 A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 5, 1892. }

Senate was called to order at 10 o'clock A. M., President *pro tem.* Kelly, presiding.

Prayer was offered by the Rev. Turner, of Des Moines, Iowa.

Leave of absence was granted Senators Jamison, Oleson, Parrott and Jewett, until Tuesday.

The following pairs were announced:

Oleson and Parrott, until Tuesday; Gardiner and Jewett, until Tuesday.

On motion of Senator Yeomans, a roll call of the Senate was ordered.

The roll call showed the following Senators to be present:

Andrews, Bailey, Bishop, Bolter, Chantry, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gobble, Green, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Palmer, Perry, Rich, Shields, Stewart, Vale, Yeomans—27.

PETITIONS AND MEMORIALS.

Senator Dodge presented petition of citizens of North McGregor, Iowa, favoring passage of Senate file No. 9.

Referred to Committee on Labor.

Senator Bishop presented petition of C. W. Carter, of Rock Valley, Iowa, favoring closing of Columbian Exposition on Sundays.

Referred to Committee on Appropriations.

Senator Bishop presented petition of Society of Christian Endeavor of Hull, Iowa, favoring closing of Columbian Exposition on Sundays.

Referred to Committee on Appropriations.

Senator Gatch presented petition of fifty members of East Des Moines Presbyterian church, branch of Young Peoples' Society of Christian Endeavor of Iowa, asking for maintenance and enforcement of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of H. S. Carper and sixty-nine others, members of Kinsman Woman's Relief Corps, asking for cottage homes for married soldiers at the Marshalltown Home.

Referred to Committee on Military.

Senator Mack presented petition of citizens of Humboldt county asking erection of cottages at Soldiers' Home, Marshalltown.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Bailey, by request, Senate file No. 340, a bill for an act making appropriation for the Benedict Retreat, at Decorah, Iowa.

Read first and second times and referred to Committee on Appropriations.

By Senator Dodge, Senate file No. 341, a bill for an act to amend section 9, chapter 65, acts of the Twenty-first General Assembly.

Read first and second times and referred to Committee on Insurance.

By Senator Gatch, Senate file No. 342, a bill for an act to prevent damage to State property.

Read first and second times and referred to Committee on Judiciary.

By Senator Cleveland, Senate file No. 343, a bill for an act to amend section 1727 of the Code of 1873.

Read first and second times and referred to Committee on Schools.

REPORT OF COMMITTEES.

Senator Dent, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 328, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly as amended by chapter 149 of the acts of the Twenty-first General Assembly, and by chapter 82 of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 277, a bill for an act to amend section 1, chapter 158, of the laws of the Twenty-first General Assembly, relative to salary of messenger in State Library, beg leave to report that they have had the same under consideration, and re-considered the recommendation that the same be indefinitely postponed, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that it do pass: Amend section 1 of the bill by inserting in line 2, after the word "striking," and before the word "the," the following words: "Out the word 'messenger,' in line 4, and inserting the words 'third assistant' in lieu thereof, and striking out."

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report :

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 240, a bill for an act to amend sections 522 and 542 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 245, a bill for an act to amend section 1262 of the Code as amended, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows and when so amended that it do pass: That the words "of the first class, or city" which occur as the nineteenth word in the fourth line of section 1, and the first, second, third, fourth and fifth words of line five, section 1, be stricken out and the words "including cities" be inserted in lieu thereof.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 274, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, and acts amendatory thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 217, a bill for an act to legalize certain ordinances of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Kent, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate file No. 323, a bill for an act to protect the makers of notes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that the bill do pass.

Add, after the word "merchandise," at end of line two of the printed bill, the following: "and all notes taken by any traveling doctor, when taken for services rendered or to be rendered.

Add also, after the word "merchandise," in the sixth line of the printed bill, the following: "or for the services of any traveling doctor."

Add also, after the word "peddler," in the tenth line of printed bill, "traveling doctor."

Add also, after the word "merchandise," in twelfth line, "or for such medical services."

Add also, as section 2, publication clause.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 48, a bill for an act to fix and define the liability of Insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as the subject matter of this measure is covered by Senate file No. 318, which has been reported back with the recommendation that it do pass, and further, at the request of the author of both bills Senate file No. 48 be indefinitely postponed.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 318, a bill for an act to amend section seventeen hundred and twenty-four (1724) of McClain's Code of 1888, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out of section 1 the following words: "That section 1724 of McClain's Code of 1888," and insert in lieu thereof the following words: "That section 1, chapter 39, acts of the Seventeenth General Assembly," and that the title of the bill be amended accordingly, and that as so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 67, a bill for an act to amend section 2432 of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out section 2, and when so amended the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 122, a bill for an act regulating the employment of persons serving in the capacity of peace officers, detectives or spies, beg leave to report that they have had the same under consideration, and have prepared a substitute for the bill, and

have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 79, a bill for an act to legalize the sale of certain land in Lucas county, Iowa, and authorizing patent to issue for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 207, a bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, 1954, 3792 and 3797, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 272, a bill for an act to amend section 1 of chapter 194, acts of the Twentieth General Assembly, relating to the collection of delinquent taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 176, a bill for an act conferring the right upon a wife to institute proceedings against her husband without furnishing bonds, and also to provide for her attorney's fee, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 258, a bill for an act to legalize the incorporation, ordinances and acts of the town council and officers of Hospers, Sioux county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senate file No. 86 was returned from Committee on Appropriations and on motion of Senator Cleveland was referred to the Committee on Charitable Institutions.

On motion of Senator Dodge from the Committee on Insurance, their report recommending passage of Senate file No. 48 do pass, was recalled from the Secretary, and report recommending indefinite postponement was substituted therefor.

HOUSE BILLS.

House file No. 56, a bill for an act to amend section 996 of Code, relative to meeting of township trustees.

Read first and second times and referred to Committee on Judiciary.

House file No. 404, a bill for an act to legalize the formation of the independent school district of Pleasant Ridge No. 7, and North River No. 4, Warren township, Keokuk county, Iowa, and to legalize the acts of the electors, board of directors thereof.

Read first and second times and referred to Committee on Judiciary.

House concurrent resolution, relative to the application of Wm. Riddle for pardon.

Read first and second times and referred to Committee on Penitentiaries and Pardons.

On motion of Senator Stewart, House file No. 404, a bill for an act to legalize the formation of the independent districts of Pleasant Ridge, No. 7, and North River, No. 4, Warren township, Keokuk county, Iowa, and to legalize the acts of the electors and boards of districts thereof, was taken up and considered.

Senator Stewart moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Harsh, Kelly, Kent, Lewis, Mack, McCall, Palmer, Reynolds, Rich, Shields, Stewart, Vale, Yeomans—26.

The nays were:

None.

Absent or not voting:

Senators Brower, Conaway, Engle, Everall, Finn, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Reininger, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner—24.

So the bill passed and the title was agreed to.

On motion of Senator Lewis Senate file No. 215, a bill for an act appropriating \$87.20 to defray the expenses of a delegate, appointed by the Governor, to attend the "Beef and Pork Combine" convention at St. Louis, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Lewis moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

On motion of Senator Bailey, concurrent resolution in reference to the pardon of John S. Little, with report of committee recommending that the resolution do pass, was taken up, considered, and the report of the committee was adopted.

The question being upon the adoption of the concurrent resolution. The resolution was adopted.

On motion of Senator Perry, House file No. 210, a bill for an act relating to the Industrial Home for the Blind, at Knoxville, to the board of commissioners thereof, and providing trustees therefor, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perry moved that the bill be engrossed and read a third time to-morrow, which motion prevailed, and the bill was ordered engrossed.

Senator Perry moved that the vote by which House file No. 210 was ordered engrossed, be reconsidered.

The vote was reconsidered.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Palmer, Reynolds, Rich, Shields, Stewart, Vale, Yeomans—29.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Everall, Groneweg, Harmon, Hurst, Jamison, Jewett, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner—21.

So the bill passed and the title was agreed to.

On motion of Senator Dent, Senate file No. 262, a bill for an act to amend section 2648 of the Code of this State, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the amendments reported by the committee was adopted.

On motion of Senator Gobble Senate file No. 285, a bill for an act to amend chapter 74 of the laws of the Twentieth General Assembly, with report of committee recommending that the bill do pass was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Palmer, Perry, Reynolds, Stewart, Vale, Yeomans—28.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Everall, Groneweg, Harmon, Hurst, Jamison, Jewett, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner—22.

So the bill passed and the title was agreed to.

On motion of Senator Gardiner Senate file No. 229, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Harsh moved that the bill be amended by inserting, "and that the recorder be required to index such releases in the proper index in his office," after the word "deputy," in the end of section 1.

Lost.

The bill was ordered engrossed and read a third time to-morrow.

On motion of Senator Yeomans Senate file No. 191, a bill for an act to amend section 1, of an act entitled, an act creating in all cities of the first class, having a population according to any legally authorized census, of more than thirty thousand inhabitants, a board of public works and defining the powers and duties of its members, with report of committee recommending amendments, and that as amended,

the bill do pass, was taken up, considered and the report of the committee was adopted.

The bill was ordered engrossed and read a third time to-morrow.

On motion of Senator Gatch, Senate file No. 20, a bill for an act to promote historical collections in the capitol of the state, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Gatch, the hour of adjournment was extended ten minutes.

The bill was ordered engrossed.

On motion of Senator Yeomans, Senate file No. 96, a bill for an act for the preservation of the health of female employes, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered, and the report of the committee adopted.

So the Senate ordered the bill engrossed.

On motion of Senator Lewis, House file No. 79, a bill for an act to legalize the sale of certain lands in Lucas county, Iowa, and authorizing patent to issue for the same, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

The Senate ordered the bill read a third time to-morrow.

Senator Dent moved to extend the hour of adjournment twenty minutes.

Lost.

Senator Conaway was excused for Monday.

On motion of Senator Yeomans the Senate adjourned until 10 o'clock A. M. Monday.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 7, 1892. }

Senate met pursuant to adjournment, President *pro tem.* Kelly presiding.

Prayer by the Rev. Wm. E. Wilson, of Ottumwa.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bill, in which the concurrence of the Senate is asked:

House file No. 139, a bill for an act to amend chapter No. 17 of the acts of the Twenty-third General Assembly.

Also the following Senate bills:

Senate file No. 74, a bill for an act providing for funding indebtedness evidenced by warrants and the refunding of bonded indebtedness of incorporated towns, and for the levy of taxes for the payment thereof, and for fixing a penalty for the diversion of such tax.

Senate file No. 83, a bill for an act to amend section 1, of chapter 17 of the laws of the Twenty-second General Assembly, relating to funding outstanding indebtedness of cities.

CHARLES BEVERLY, *Chief Clerk.*

There being no quorum, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 8, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.
Prayer by the Rev. W. A. Black of Des Moines.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked: Relative to creating an international board of arbitration.

CHAS. BEVERLY, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Kelly presented petition of 94 citizens of Marengo, Iowa, against any change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kelly presented resolution of Iowa City Post No. 8, G. A. R., favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Stewart presented petition of voters and non-voters of Poweshiek county, favoring the maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance,

Senator Hager presented petition of the W. C. T. U., of Winterset, favoring the retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance

Senator Cleveland presented petition of W. C. Morris and 89 other railroad employees, citizens and voters of Council Bluffs, Iowa, asking passage of Senate file No. 9, providing for a free employment office in connection with Bureau of Labor Statistics.

Referred to Committee on Labor.

Senator Gobble presented petition from Prairie Grove Quarterly Meeting of Friends at West Liberty, Muscatine county, against any change in the present prohibitory law.

Referred to Committee on Suppression and Intemperance.

Senator Bailey presented memorial of the Young Peoples' Society of Christian Endeavor at Cresco, petitioning for retention of present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Bishop presented petition from W. R. C. No. 237, Lyon county, for cottages at Soldiers' Home.

Referred to Committee on Military.

Senator Mack presented petition of one hundred and fifty-four citizens of Marion county, favoring retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Chantry presented memorial from yearly meeting of Society of Friends on capital punishment.

Referred to Committee on Judiciary.

Senator Smith of Wright, presented petition of voters of Hubbard, Hardin county, asking for retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Turner presented petition of seventy-one voters and one hundred and thirty-five non-voters of Marshall county against any change in the prohibitory laws.

Referred to Committee on Suppression of Intemperance.

Senator Groneweg presented petition of Christian Endeavor Society of Avoca, Iowa, favoring the maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Rich presented petitions of fifty voters of Wall Lake, Iowa, favoring the maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Jewett presented remonstrance of congregation of Baptist church of Osage, Iowa, against any repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Everall presented petition of thirty voters and fifty non-voters of Clayton county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Gardiner presented petition of Nettie Potter and forty-four other non-voters of Clinton county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Stuart presented petition of M. E. Church of West Liberty, Iowa, against any change in the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Turner presented petition of citizens of Christian church

of Marshalltown, Iowa, favoring the maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Turner presented petition of Society of Christian Endeavor of Clemons, favoring the Sunday closing of the Columbian Exposition.

Referred to Committee on Appropriations.

Senator Palmer presented petition of forty-two voters and forty-two non-voters of Washington county, asking the maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Palmer presented petition of Society of Christian Endeavor of New London, Iowa, asking maintenance of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Palmer presented petition of Society of Christian Endeavor of Mt. Pleasant, Iowa, asking maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Bailey, Senate file No. 344, a bill for an act to provide for the printing and distribution of the Iowa Official Register.

Read first and second times and referred to Committee on Printing.

By Senator Brower, Senate file No. 345, a bill for an act to pave streets and alleys, and the curbing of streets in incorporated towns, and providing for the costs thereof.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Reynolds, Senate file No. 346, a bill for an act to provide room for the preservation of the records and chemical laboratory work of the State Board of Health.

Read first and second times and referred to Committee on Public Buildings.

By Senator Reiniger, by request, Senate file No. 347, a bill for an act to regulate the compensation of county surveyors, and to provide for the recording of surveys.

Read first and second times and referred to Committee on Compensation of Public Officers.

By Senator Kent, Senate file No. 248, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa, in relation to the levy of taxes. Read first and second times and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 20, a bill for an act to promote historical collections in the capitol of the State, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

MR. PRESIDENT—The minority of the Committee on Judiciary, to which was referred Senate file 262, relating to a change in the practice of the court, begs leave to dissent from the majority report recommending that the bill do pass, and report in favor of its indefinite postponement.

Our reasons may be briefly stated as follows: This bill proposes a radical change in our court practice as it existed ever since the taking effect of the Code of 1851. For more than forty years this system of practice has been in successful operation in this and most of the other States without any disposition for a return to the old technical forms of practice.

This bill provides that where a demurrer is overruled, and the party pleads over, he does not waive his exception taken to the ruling on the demurrer. That is to say; if the defendant demurs to the petition, and it is overruled, and he excepts to the ruling, and files an answer and goes to trial, he does not waive the exception taken; but if he is defeated on the trial he may appeal to the Supreme Court, and go back before the filing of the answer and complain of error based upon the overruling of this demurrer, and have the judgment reversed. For over forty years our practice has been adverse to this rule. It requires a party insisting upon error in the ruling of the court, to stand by his pleading and do no act waiving it, if he wishes to avail himself of the benefit of the exception. Under our present practice, a party does not waive all objections of a technical character. He may, under our present system, guard every substantial right, after pleading over, by objections on the trial, or by motion in arrest of judgment. Why should he, in reason and justice, be allowed more than this? But this bill proposes to restore to him all the technical advantages of the old common law practice which experience long since determined, in the interest of justice and right, should be denied him.

By the provisions of this bill if the demurrer to a petition is sustained on the ground that it does not state facts sufficient to constitute a cause of action, and the plaintiff excepts, he may amend his petition so as to fully set forth all the facts suggested by the demurrer, and thus submit to what it requires, go to trial before a jury, and if defeated appeal to the Supreme Court and have the judgment reversed on the ground that the demurrer was improperly sustained. We ask, what reason can the majority of the Committee, or any other person, give why such a rule of practice should be tolerated in this State. To us it appears to be manifestly unjust, and permits a party to take advantage of their own wrongs. If the plaintiff in the case suggested honestly, believes that his petition sets forth what is necessary, let him stand by it if he wishes to avail himself of the error of the Court in holding it insufficient.

But why should he be allowed to complain of the ruling, if he amends his petition and submits to the objections urged by the demurrer, and has the benefit of a trial before a jury on the real merits of the case. The tendency of this bill is to

increase litigation by offering greater opportunities for appeals to the Supreme Court, and to render more complex and technical a practice which it has been the purpose of the past legislation to simplify and make plainer, so that the real matter in dispute may be tried by a jury. We regard the intent of this bill to be in the interest of lawyers, to encourage litigation and protract the trial of cases in the court, and add expenses to be paid by the people.

T. B. PERRY,
WM. O. SCHMIDT,
T. C. MCCALL,
J. J. SMITH.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT: Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 229, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 215, a bill for an act appropriating \$87.20 to defray the expenses of a delegate appointed by the governor to attend the "Beef and Pork Combine" convention at St. Louis, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 191, a bill for an act amending section 1 of chapter 1 of the acts of the Twenty-second General Assembly, entitled, "an act creating in all cities of the first class, having a population according to any legally authorized census, of more than thirty thousand inhabitants, a board of public works, and defining the powers and duties of its members," and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 96, for an act for the preservation of the health of female employes, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House file No. 308, a bill for an act requiring the United States flag to be placed upon all school houses or school house grounds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate

file No. 324, a bill for an act to legalize the franchises of the Cedar Rapids Electric Light and Power Company and certain ordinances of the city of Cedar Rapids, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

In the fourth line of the preamble after the word "amending," insert the word, "granting." In fifth line of section 1, after the word, "amending," insert the word, "granting." And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 81, a bill for an act to protect the makers of negotiable instruments, beg leave to report that they have had the same under consideration, and have prepared a substitute for the bill, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 7, a bill for an act to amend section 121 of the Code, relative to the proposals for stationery and paper, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 40, a bill for an act amending chapter 85, of the acts of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 303, a bill for an act to legalize the action of the trustees of Jackson township, Adair county, Iowa, in a certain case, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 236, a bill for an act to provide for the sale and transfer of corporate franchises and property in the foreclosure of mortgages and under execution, beg leave to report that they have had the same under consideration, and have instructed me

to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT--Your Committee on Judiciary, to whom was referred Senate file No. 238, a bill for an act to amend section 4098 of the Code, an act relating to the punishment of the crime of "libel," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 237, a bill for an act to authorize the executive council to employ the services of the Iowa State Band and to make appropriations for its better equipment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the word "three" in the second line of section 2 of printed bill be stricken out and the word "two" be inserted in lieu thereof. Also after the word "per annum" in same line, same section of same bill insert the words "biennial period," and with these amendments recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*,

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 281, a bill for an act to establish a uniform system of text books for use in the common schools of the state of Iowa and to reduce the cost of the same; defining the duties of certain officers named therein, and providing certain penalties for violation of the provisions thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 35, a bill for an act to amend section 1790 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor: A bill for an act to amend section 1739 of the Code of 1873. Be it enacted by the General Assembly of the State of Iowa: Section 1. That section 1739 of the Code of 1873 be amended by adding to the end thereof the following, "and any member of the board may administer the oath of office to the president elect" and that the substitute do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Conaway moved that Senate file No 70 be recommitted to the Committee on Public Health and reported back to the Senate within three days, and that it retain its place on the calendar.

Carried.

On motion of Senator Lewis the special order was deferred thirty minutes.

Senator Reiniger offered the following concurrent resolution:

Be it Resolved by the Senate, the House concurring: That our Senators at Washington be instructed and our Representatives requested to use their influence in favor of the enactment into a law of the bill now pending in the Senate, of the United States known as the "Pure Food Bill," and that the Secretary of the State mail a copy of this resolution to each of our Senators and Representatives.

Passed over under the rule.

Senator Gatch called up Senate file No. 20, a bill for an act to promote historical collections in the capitol of the State.

The bill having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—46.

The nays were:

None.

Absent or not voting:

Senators Engle, Mosnat, Reiniger, Smith of Butler—4.

So the bill passed and the title was agreed to.

Senator Gardiner called up Senate file No. 229, a bill for an act to amend section 3327 of the Code, relating to the satisfaction of mortgages. The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stuart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Engle, Jamison, Kent, Mosnat, Reiniger, Smith of Butler, Harmon—9.

So the bill passed and the title was agreed.

Senator Funk called up Senate file No, 152, a bill for an act to restrain hunters from trespassing upon cultivated lands without permission, and prescribing penalties therefor.

The bill having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Gardiner, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—35.

The nays were:

Senators Bolter, Dent, Everall, Green, Groneweg, Kelly, Mattoon, Rich, Shields—9.

Absent or not voting:

Senators Bishop, Brower, Dodge, Engle, Mosnat, Cleveland—6.

So the bill passed and the title was agreed to.

Senator Yeomans called up Senate file No. 96, a bill for an act for the preservation of the health of female employes.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

Senators Conaway, Hurst—2.

Absent or not voting:

Senators Bolter, Engle, Finn, Kelly, Mosnat, Perry, Smith of Wapello—7.

So the bill passed and the title was agreed to.

Senate file No. 191, a bill for an act to amend section 1 of an act entitled an act creating in all cities of the first class having a population according to any legally authorized census of more than thirty thousand inhabitants, a board of public works and defining the powers and duties of the members, was taken up.

The bill having been engrossed, was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Bolter, Engle, Finn, Kelly, Mosnat, Rich—6.

So the bill passed and the title was agreed to.

Senate file No. 215, a bill for an act appropriating \$87.20 to defray the expense of a delegate appointed by the governor to attend the Beef and Pork Combining convention at St. Louis, was taken up.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of, Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44

The nays were:

Senator Groneweg—1.

Absent or not voting:

Senators Bolter, Brower, Engle, Mosnat, Rich—5.

So the bill passed and the title was agreed to.

House file No. 72, a bill for an act to legalize the sale of certain land in Lucas county, Iowa, and authorizing patent to issue therefor, was taken up, and read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler,

Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—46.

The nays were :

None.

Absent or not voting :

Senators Engle, Groneweg, Mosnat, Reiniger—4.

So the bill passed and the title was agreed to.

The special order was resumed at 11:20 o'clock, it being further consideration of the Gatch substitute for Senate file No. 23.

Pending discussion the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President Bestow presiding.

The special order was resumed. The following communication was received and read:

In compliance with a petition very generally signed by the members of the legislature the Iowa State Band will give one of their grand concerts in the House of Representatives on Friday evening, March 11th; admission will be by complimentary tickets to the members of the General Assembly, state officers and their friends. Tickets will be given out by a committee appointed for that purpose.

FRED. PHINNEY, MANAGER AND DIRECTOR,
Iowa State Band.

REPORTS OF STANDING COMMITTEES.

Senator Bishop, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 141, a bill for an act to establish a normal school at Sheldon, O'Brien county, Iowa, and appropriating one hundred thousand dollars therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 14, a bill for an act to establish a normal school at Le Mars,

Plymouth county, Iowa, and appropriate one hundred thousand dollars therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 195, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 278, a bill for an act to establish a normal school at Humboldt, Humboldt county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 140, a bill for an act to establish and maintain the Northwestern Normal School for the instruction and training of teachers, and to provide for the selection of sites for other normal schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed and the committee present substitute therefor.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 280, a bill for an act to establish and maintain a normal school at Columbus Junction, Louisa county, Iowa, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 22, a bill for an act to establish and maintain a normal school for the instruction and training of teachers, to be known as the South-

western State Normal School, to be located at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the committee present a substitute therefor.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked:

House file No. 130, a bill for an act to amend section No. 3727 of the Code of 1873 providing for the taking of depositions in certain cases.

Also:

House file No. 275, a bill for an act providing for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States and to protect said workmen in the management of their own earnings.

CHARLES BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate concurrent resolution, relative to procuring 10,000 copies of the railroad commissioners' maps.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No 33, a bill for an act to change the rule as to the burden of proof in actions grounded on negligence.

House file No. 236, a bill for an act to provide for a more satisfactory publication of bank examination.

CHAS. BEVERLY, *Chief Clerk*.

Senator Cleveland took the chair.

Senator Gatch moved that the amendments to substitute for Senate file No. 23, offered by him March 3d be adopted.

Senator Reiniger moved a division of the question.

The question being on the adoption of the first section of the amendment to the substitute.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—21.

Absent or not voting:

Senator Engle—1.

Adopted.

The question being on the adoption of the second amendment to the substitute.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—21.

Absent or not voting:

Senator Engle—1.

So the amendment was adopted.

The question being on the adoption of section 3 of the amendment to the substitute, it was adopted.

Section 4 was adopted.

Section 5 was adopted.

Section 6 was adopted.

Section 7 was adopted.

Section 8 was adopted.

Section 9 was adopted.

Section 10 was adopted.

Section 11 was adopted.

Section 12 was adopted.

Section 13 was adopted.

Section 14 was adopted.

Section 15 was adopted.

Senator Gatch offered the following amendments to the substitute for Senate file No. 23, and moved their adoption.

First—Between the words "too" and "all," in the third line of section 20, insert "and only as to."

Second—Pluralize the word "pharmacist," in the eleventh line of section 20.

Third—Strike out the words "intoxicating" and "including ale, wine and beer," after the word "of," in line 12 of section 20, and insert the words, "spirituous, malt, fermented and vinous."

Fourth—Add to the end of section 20, "or the same as if this act were not passed."

The amendments were adopted.

President Bestow took the chair.

On motion of Senator Kelley, the substitute bill for Senate file No. 23 was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—27.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

Absent or not voting:

Senator Engle—1.

So the bill passed, and on motion of Senator Gatch the title was amended as follows: "An act to provide for county local option in the sale and manufacture and sale of spirituous, malt, fermented and vinous liquors, and the granting of permits therefor."

Senator Perry explained his vote as follows:

It will be with great reluctance that I support this bill. I regard it as but little better than prohibition. Indeed it is a mere deception. Its author claims that it will secure prohibition in 90 of 100 counties as I believe. It is first understood as being a license bill, though in fact it is substantially prohibition.

It has been drafted by a master hand, whose whole aim appears to have been to give prohibition under the guise of license. It is a Republican measure devised by its ablest and most thoughtful leaders in the state and nation. It is not a part of the scheme to furnish any more Republican votes in the Senate and House than will be necessary, when supplemented by the solid Democratic vote, than barely carry the bill, while the party organization will remain steadfast to the cause of their prohibition allies.

If the bill passes it will be classed as a Democratic measure, while the radical prohibitionist will be consoled with the knowledge that the grand old party has stood by prohibition throughout the contest, and there will be no split or the formation of a third party that will amount to anything. Some Democrats appear willing to take hold of this bill as it comes to them from Republican hands and accept it as a bill for relief of the people. Every precaution appears to have been used by the author of the bill to prevent its operation as a license measure to give relief to the people in those districts where prohibition cannot be enforced. The purpose

of Senator Allison, General J. S. Clarkson, ex-Governor Kirkwood, ex-Governor Gear, the *State Register*, the *Gate City*, *Cedar Rapids Gazette*, *Sioux City Journal*, *Council Bluffs Nonpareil*, and the wisest and ablest Republican leaders of the state as I believe is to induce the Democrats to unload prohibition from Republican shoulders and take it out of politics, so that it may cease troubling them. And for this kindly act of the Democrats, these far seeing Republican leaders propose to give us prohibition called license, hoping we will be satisfied with the bargain. So far everything seems to encourage this expectation.

To show that the author did not intend to give license by the bill, but to secure prohibition under its operation, he founds it upon county option. He at first required a petition to be signed by two-fifths of all the voters of the county, but he afterwards amends by requiring only one-fifth. Why was this done? There is no example to justify it, to be found in the license or excise statutes of any State in the Union. No State has county option; why should Iowa? It was once tried in this State, and decided by our supreme court to be unconstitutional. The elections held under the bill will create a great and needless expense, which the tax payers will be required to meet. By county option every voter in our cities and towns may vote for license, but if overcome by the voters living in the country license must be denied in those cities and towns. Why such requirements if the real intention is to provide for a license. The author of the bill was so thoughtful, while planning for county option, that in order to make the law so distasteful to the voters residing in the county that they may not vote for it, he provides that should license carry in the county, any country township voting for it may have a saloon. While Democrats in the country are opposed to prohibition and are willing for cities and towns to have license, where prohibition is a mockery and cannot be enforced, they do not want saloons out in their own townships. Hence they will be disposed to vote against county license.

The conditions in the country, with respect to saloons, are altogether different from what they are in cities, where prohibition cannot be enforced. There is not a city in Iowa of five thousand population where prohibition is a success. Des Moines, the seat of all the leading prohibition forces of the State, where the State Temperance Alliance meets, and from which all prohibition works do proceed, where there is a Republican mayor and police force, prohibition is simply a farce. There are not less than one hundred open saloons in this city where men can walk up to the bar and order their drinks, all the way up from a glass of beer to a cocktail, without answering questions. In cases like these but few men can deny that license will greatly improve the situation, even from a moral standpoint. But the way in which the Gatch bill is framed there can be no license in Des Moines except upon the decision of a majority of all the votes of the county being in its favor. If a vote under the bill was taken in Polk county at this time there is great room for doubt if license would carry. Let us see who would oppose it. In the first place all the prohibition Republicans would. These constitute not far from a majority in the city. In the next place, how would all the saloon and joint keepers in Des Moines vote? Would these men who now sell without paying a license fee be disposed to vote for a license under the Gatch bill, and be required to pay a heavy license and give a five thousand-dollar bond in the most stringent penalties possible to bind men? Does any sensible man suppose they would vote for such a license as this bill proposes? Now suppose these men and their influence unite and vote with the prohibitionists against license; with the country vote most probably against it, what would become of license and of the Gatch law in

Polk county? If this should be the result in this county it is quite certain license would not carry in the rural counties. Some of the counties in this State may succeed in carrying license, but they will be exceptions. If this shall be the working of the law it will be in order hereafter for Democrats to explain to the people why they have been so misled by the cunning leaders of the Republican party, and why they let them unload prohibition from their shoulders for nothing but prohibition in return. What explanation can Democrats give for being so nicely outdone by Republican strategy? I am urged by some of my associates to walk into this trap and wait until hereafter to consider what we are getting in return.

There are but few localities in the country where the people will vote for a saloon in their neighborhood, while the contrary is true of cities and towns in which the conditions are different; hence the able author of this bill is not content to leave the question to be decided by local option in cities and towns, but he very shrewdly requires the people of the cities and towns to go into the country and procure the consent of those living in even the remotest parts of the county, thus to obstruct the operation of the law, rather than to make it possible for it to go into operation, and the law will probably be disregarded as much as prohibition has ever been. Besides this, if license fails in any county by only one vote, and public sentiment should change in its favor, a new election could not be had within three years.

It is a mistake to think that this bill will take the prohibition question out of politics. There is a determined sentiment in this state against the farce of prohibition, and an equally strong desire for an honest license law. Until this result is obtained, the republican party may depend upon it, prohibition will be a party question, and I only regret that the subject may not be settled by this General Assembly.

I have no great desire to vote for this bill, which, as its author claims, is not calculated to give license to but ten counties in the state.

I will vote for the engrossment of this bill not without the greatest hesitation, mainly because of the argument used that it will be taking one step away from prohibition, which has become so odious in the estimation of the people, and it will permit the manufacture of liquors in the larger cities, and supply a demand that is now being made on the other states, and give employment to labor within our borders.

Senator Dodge explained his vote as follows:

I am not in full accord with the provisions of the bill, but preferring this measure in its unsatisfactory form as a means of control of the liquor traffic and also in the interest of true temperance, and believing further that its obnoxious features may be changed at the next session of the Legislature, I vote, aye.

W. W. DODGE.

Senator Everall explained his vote as follows:

When compelled to choose one of two lines of action, neither of which I entirely approve, I select the one nearest my views. In the present case, believing it to be for my interest, the interest of my constituents and the best interests of our State, I vote, aye.

JOHN EVERALL.

Senator Gobble explained his vote as follows:

MR. PRESIDENT—This bill does not meet with my approval, but as it has some good features, and trusting to the next General Assembly to so amend it as to be acceptable to a majority of the voters of the State. I vote aye.

J. M. GOBBLE,
Senator Twentieth District.

Senator Groneweg explained his vote as follows:

MR. PRESIDENT—I desire to explain my vote. This is a substitute for Senate file No. 23, which was introduced by myself, and which was in strict conformity with the Democratic platform. The substitute differs somewhat from this platform, but as a matter of expediency I deem it proper to vote for the substitute, in-as-much as the Democrats have not sufficient strength in the Senate to pass any measure, and as this substitute, offered us by a Republican Senator is a compromise. It is not such a law as most Democrats want, but as it is the best we can get at this time, I will vote for it, and thereby show my constituents that the Democrats were honest and sincere when they advocated a license law and condemned prohibition.

WM. GRONEWEG.
Senator Nineteenth District.

Senator Schmidt explained his vote as follows:

MR. PRESIDENT—For the first time during my six consecutive sessions of the Iowa legislature I desire to explain my vote and to have such explanation entered upon the journal of the Senate.

The bill introduced by myself on behalf of the Democracy of this Senate, and known as the "Schmidt Bill," for the regulation of the liquor traffic within this State, was sincerely and actively pressed to a hearing and vote before this body, and after perhaps the most lengthy and exhaustive debate ever held within the legislative halls of Iowa, it received the entire and unanimous democratic strength of twenty-five votes, being one vote less than the constitutional number of votes required to pass a bill by the constitution of the State.

None of our Republican friends saw fit to aid us by their vote in our effort to release the people of the State from the burdens of prohibition which they have now carried for a decade to the great detriment of the commercial and financial interests of the State. They saw fit to vote to continue the reign of free whisky unbridled and unlicensed within this State. They saw fit to vote against the principle of license as opposed to prohibition when they voted to substitute the minority for the majority report of the Committee on Suppression of Intemperance on the "Schmidt Bill."

The Democratic party then and there, by the vote of their representatives on the floor of the Senate, showed its sincerity and fulfilled and carried out the solemn and sacred promises to the people of the State.

So far, so good. Now after the defeat of the "Schmidt Bill" what?

The present measure, the "Gatch substitute" was offered, and its author and other Republican Senators upon the floor openly confessed the truth of the Democratic position. They joined in the terrible indictment of prohibition and its effects which the Democrats had made. They offered new and additional evidence to what had been introduced by the Democrats. They virtually intervened and favored a re-trial of prohibition in this Senate. They, to my mind, convinced their voters that prohibition was a fraud and a farce, and that it should be obliterated from the face of our statutes. I do not individually believe in many of the provi-

sions of the measure. I do not personally believe in county local option. I am fully aware that we Democrats could not consistently offer amendments to the pending measure upon the floor of this Senate for fear it would be charged that we were attempting to weaken the bill, and appear in attitude of hostility toward it.

We have allowed our Republican friends to present here such a measure as they desire enacted to "license" or to "permit" the liquor traffic. The bill contains police regulations which should be left entirely to the locality. They are matters which belong to the local community entirely, and not to this bill.

The bill, in my opinion, in many ways is a bill for blackmail. The bill is a digest of all the penalties of all the statutes of all the States against the liquor traffic. It offers little or no protection to the licensee. It is not an ideal or even a fair bill, and were it not for the principle involved, could never receive my vote. It don't suit me nor many of my constituents. I have seen fit, however, to look at this whole matter with a spirit of compromise. Anything to get rid of prohibition is my doctrine. I am willing to take a slice of bread if I cannot get the whole loaf, and am willing to go a great way to see a change of any kind, looking in the slightest degree to a change of the present prohibitory statutes, which I look at as a delusion and a snare.

I am pleased to see that some of the Republican Senators have the courage to break away from party caucuses and have come over to our side to clinch and substantiate the arguments made by the Democrats on this floor. The people of the State are to-day crying to us to vote for anything that will change the present condition of affairs.

Under all these circumstances, Mr. President, I am willing to be instrumental in the construction of the "entering wedge" which will ultimately sound the eternal death knell of prohibition in Iowa. I want to establish a foot-hold for the theory of license to stand upon as opposed to prohibition in the State of Iowa.

If I cannot get the entire bakery, but only a part of the stock on hand, I will take a part of the stock, run the bakery for two years, and then come back and take a fee simple title to the whole bakery, real estate and all.

With the ice once broken, I believe in two years there will be a sufficient number of us here to give to Iowa what she so sorely needs—a reasonable, well regulated and sensible license law.

I want my vote to say that upon this bill, while I do not favor many of its provisions, I am in favor of having the principle of "license" substituted for the doctrine of "prohibition" in the State of Iowa as the future policy of the State. Under protest, I vote, aye.

Senator Shields explained his vote as follows:

I have no apology to make for my vote on this bill. While the bill under consideration is not in a good many respects what it should be, in my judgment it is a good many steps in the right direction of the proper control of the liquor traffic in Iowa. For what the bill is, and what will come from it, I vote, aye.

J. H. SHIELDS.

Senator Bolter in explanation of his vote said:

SIR—If I shall vote for this bill it will be with grave doubts and many serious apprehensions. Its constitutionality is certainly very questionable in this; as the general law now stands it is not only a crime but a felony to sell or give away intoxicating liquor, as a beverage, any where within the borders of the State, and

there is no repealing clause in the bill before us. Now, while this general law remains intact can we, as contemplated in the bill, enact a law permitting the different counties in the State to virtually and practically repeal this general criminal law simply by petition and a vote of their people without violating the plain provisions of the constitution? If so, the act of selling in one county might be a felony while the same act just across the line, in an adjoining county, might be naught but a "legitimate business" transaction. Again, should this bill become a law, I fear it will not and cannot be enforced. It will have no friends. It will, I apprehend, be looked upon as it really, is a "*friendless foundling of illegitimate origin.*" It is but a nameless hybrid at most.

The great democratic party will not be its friend for it is not a democratic measure, nor is it in accord with democratic principles. The republican party will not be its friend, for it is not a republican measure, nor is it in accord with republican principles, provided the great republican party has been honest in its oft repeated platform pledges in favor of absolute prohibition. Certainly the honest and conscientious prohibitionists, provided there are such, and I think there are a few, cannot be friendly to it for it is in direct opposition to their long professed opinions.

We will, therefore, be placing upon our statute a law not in accord with the views of any considerable number of our people, and a law for which no party will claim to be responsible,

Sir, The wise legislator will ever be slow to enact any law so rigorous in its provisions as not to meet the approval of public sentiment. Such laws are almost invariably held in contempt and ignored by a liberty loving people.

Mr. President, I have been in this contest over prohibition from the commencement up to the present time, and for a period of almost ten years. During that time I have been denominated on the one hand as a prohibitionist, and on the other as one in favor of free whiskey, drunkenness, dissipation, and all the woes and evils that necessarily follow in their train. But, sir, I am neither the one nor the other, but have always been in favor of restraining the evil by a heavy tax, commonly called license, as the best means known to man for controlling and reducing to a minimum what long experience has taught that we cannot wholly prevent.

But, sir, I desire to say once and for all, that if I must be branded either a prohibitionist or as one in favor of any system calculated to promote drunkenness and dissipation, then brand me as a prohibitionist—brand me *now!* and burn *deep*, sir! Were I a Republican, and treating this question as merely a game upon the political chess-board, for the success of party merely, as I believe it is being treated by the author of the bill, and were I in a condition to ignore the contract made with my people by accepting the nomination on the platform of principles by them made, the most sacred contract in my judgment that any public man can possibly make, then I should readily vote for this bill; for he assured my Democratic brothers that this measure has not been introduced by the Senator from Polk in your interest, nor in the interest of the Democratic party, but on the contrary to relieve the Republican party from the great burden of prohibition, and to secure its future triumph over you.

Be assured that it is a scheme invented by the shrewdest and most unscrupulous office holders and office seekers in the state and nation looking only to republican success, and with utter disregard to principle or to former platform pledges. I do not mean to charge this in a formal manner, at some particular time and place, but I do say that it has been done in a general way and that the leading republicans

are standing in line from ocean to ocean in support of this measure simply and solely for party success.

The author of the measure, Senator Gatch, has emphatically and repeatedly told us so, and unless this measure shall pass, that the Republican party must expect overwhelming defeat from now on. He, Senator Gatch, and others, and I am sorry to say some of my Democratic brothers, have discussed this measure in the light of majorities secured by the two great parties to this controversy over the principle of prohibition.

Now, if prohibition is right, then a few thousand majority for or against cannot make it wrong. On the other hand, if it is wrong, then no majority in its favor, however large can make it right. No man without convictions ever amounted to much, nor can such be safely trusted in any responsible position. No party without convictions has ever succeeded, in American politics, for any considerable time. It should not and cannot. Very ancient authority informs us that, "A soul without reflection, like a city without walls, soon to ruin runs." So a party, without convictions, is but a waif and a shadow without substance, and must early meet with well deserved ignoble defeat.

The trouble with our prohibition friends is, that their conduct, so far, has been such as to lead the world to doubt their sincerity. Though there are many professed prohibitionists, yet their love of party has ever been stronger than their convictions, for, whenever they have had a ticket in the field they have mainly deserted it, and have been governed by their partizan zeal rather than by an honest manifestation of faith in their professed principles.

Though I have many objections to the bill, yet as it provides for the manufacture within our State of the different liquors that we now so largely import from surrounding states, and at such an enormous expense, and as it provides for a form of license, at least, which I believe to be some improvement upon our present system of mis-called prohibition, and believing it to be the best we are able to do under all the circumstances, I shall, though under protest, vote for the bill.

On motion of Senator Kelly, Senate file No. 323 was made a special order for to-morrow morning at 11 o'clock.

On motion of Senator Dent, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 9, 1892. }

Senate met in regular session at 10 o'clock A.M., President Bestow presiding.

Prayer by Rev. D. McPherson of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Hager presented petition of citizens of Adair county protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith, of Butler, presented petition of Young Peoples' Society of Christian Endeavor, of Waverly, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Finn presented petition of citizens of Adams county, Iowa, favoring the erection of cottages at Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Perkins presented petition of H. M. Dungan, of Farragut, Iowa, favoring the closing of the World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Palmer presented petition of the M. E. Society of Washington, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat presented petition of non-voters of Benton county, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat presented petition of Young People's Society of Christian Endeavor, of Belle Plaine, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat presented petition of citizens of Benton county protesting against the repeal of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Committee on Insurance, Senate file No. 333, a bill for an act to insure employees against loss in consequence of accidents or casualties of any kind to persons or property, or both, and to amend section 1132 of the Code of Iowa, (this bill being a substitute for Senate file No. 333).

Read first and second times and ordered printed.

By Committee on Labor, substitute "A," Senate file No. 15, a bill for an act to protect workmen employed in mines in the state of Iowa in the management and control of their own earnings. Also substitute "B," for Senate file No. 15, a bill for an act to provide for the payment of wages of workmen in mines in the State of Iowa in lawful money of the United States.

Each read first and second times and 300 copies ordered printed.

By Committee on Educational Institutions, a substitute for Senate files numbered 14, 22, 140, 141, 195, 278 and 280, a bill for an act to establish additional Normal Schools, and to appoint a commission to locate the same and to provide for their compensation.

Read first and second times and 300 copies ordered printed.

REPORTS OF COMMITTEES.

Senator Everall, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 344, a bill for an act to provide for the printing and distribution of the "Iowa Official Register," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN EVERALL, *Chairman.*

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House joint resolution No. 3, state that they have had the same under consideration, and have instructed me to report that both houses have passed Senate joint resolution No. 7, of which this House joint resolution No. 3 is a duplicate, and its object is fully met by the passage of the Senate joint resolution. Therefore it is recommended that the further consideration of this resolution No. 3 be indefinitely postponed.

T. B. PERRY, *Chairman.*

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 305, a bill for an act legalizing an ordinance of the city of Clinton, being chapter 163, and the authority therein and thereby granted to the Clinton Water Works Company to maintain, continue, improve and extend its water works in said city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health to whom was referred Senate file No. 222, a bill for an act to prohibit selling, giving, or furnishing tobacco in any of its forms to minors under sixteen years of age and providing a penalty therefor, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the last four words in the last line of section one, and insert "or by the approval of the parent or guardian of such minor." In section two, the fifth line, strike out the word "twenty-five" and insert the word "ten." To strike out all of section 3. That when so amended the bill do pass.

L. B. MATTOON, *Chairman.*

Ordered passed on file.

Senator Dodge, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 333, a bill for an act to amend section 1132 of the Code, as to insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as a substitute for Senate file No. 333 the accompanying bill be adopted, being a bill for an act to insure employes against loss in consequence of accidents or casualties of any kind, to persons or property, or both, and to amend section 1132 of the Code of Iowa, and that the substitute do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 159, a bill for an act for the permanent support and maintenance of the State University, and to provide for the erection of necessary buildings therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: First, by striking out the word "two," in the 5th line, and inserting in lieu thereof the word "one," and when so amended that the bill do pass.

WM. GRONEWEG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 294, a bill for an act to provide, furnish and maintain necessary buildings for the Iowa Agricultural College, equip its departments and provide for the dissemination of information emanating from the college and experiment station connected therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: First, that the words, "one eighth," in the (6th) sixth line, be stricken out, and the words, "one tenth," be inserted in lieu thereof, and when so amended that the bill do pass.

WM. GRONEWEG, *Chairman.*

Ordered passed on file.

Senator Funk, from the Committee on Fish and Game, submitted the following report:

Mr. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 295, a bill for an act to prevent the destruction of food fishes, and to prohibit the use of seines, nets, explosives and other devices, except hook and line, and bait nets, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the annexed substitute be enacted in lieu thereof.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Kent, from the Committee on Banks, submitted the following report:

Mr. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 154, a bill for an act to regulate banking in the State of Iowa and to provide for the establishment and examination of private banks, beg leave to report that that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. G. KENT, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

To the Senate of the Twenty-fourth General Assembly:

The undersigned having been appointed a member of the special committee for the consideration of the answer of Speaker Mitchell, to the resolution of the Senate respecting the compensation of acting Secretary Parsons, beg leave to make this the minority report of said special committee.

First—The minority of this committee has received no notice of any meeting or conference of said special committee to consider the subject matter of the answer of Speaker Mitchell, and know of no such meeting, or conference having at any time been had, and knew nothing of the alleged report of the majority until the same with the bill accompanying it were handed to him for examination a few minutes before the same was introduced in the Senate.

Second—That the minority of said committee believe that the present law is fully adequate to provide for the payment of all legally elected officers now provided for by law where compensation is contemplated.

Third—That the present law provides a plain, speedy and adequate remedy for adjusting questions of this character and there is now an action in the courts of the State, that will, when finally determined, decide the question raised by the original resolution adopted by a majority vote of the Senate and to which the answer of the Speaker of the House refers, and which is also made the subject matter of the bill accompanying the majority report.

Fourth—The minority of said committee desire to say that it has come to its knowledge from reliable sources that the secretary of the Senate, J. W. Cliff, is now and has been at all times since he was, as we believe, legally deprived of his office, ready to present an agreed statement of facts to the courts for its decision in this matter and abide by the result, and that such proposition has been made repeatedly to acting Secretary Parsons, and has been by him refused, and the minority insists that the responsibility for the delay in securing payment of the salary to

the rightful claimant of the secretary's office, whoever he may be, rests with acting Secretary Parsons and his advisors and abettors, the Democratic members of the Senate, and not with the speaker of the House, who has clearly shown his inability to make the certificate asked of him by the Senate resolution herein before referred to, for the reason that he has been restrained from making the same, in an action now pending in the courts of the State.

Respectfully Submitted,
EDGAR E. MACK.

MINORITY REPORT ON JOINT RESOLUTION NO. 10.

The undersigned, a minority of the Committee on Constitutional Amendments and Suffrage, to which was referred joint resolution No. 10, do not agree with the majority of the committee in recommending the indefinite postponement of the resolution, and beg leave to report that in the judgment of the minority the resolution ought to be adopted for the reasons following:

First. That an amendment similar to the one proposed by this resolution was submitted to a vote of the people in the year 1882 and was adopted by the people by nearly thirty thousand majority, but afterward declared invalid by the Supreme Court on technical points as to the manner in which it was submitted.

Second. We believe that whenever it appears that it is the desire of a large number of the legal voters of the State to have an amendment to the constitution submitted to a vote of the people, it is the duty of the General Assembly to submit the amendment to a vote of the people, no matter what the individual views of members of the General Assembly may be.

ROBT. G. REINIGER.

JAS. H. JAMISON.

G. L. FINN.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, The custom of settling differences between nations, by war, is a relic of barbarism, an evil destruction of property and life, and in direct conflict with the religion of Him who came to proclaim peace on earth; and

WHEREAS, It should be the desire and effort of all Christian nations, and especially this great nation of ours, to settle all matters of difference without resorting to the barbarous custom of war, and thus hasten the time when "nations shall learn war no more;" therefore be it

Resolved, by the House, the Senate concurring, That our Senators and Representatives in Congress be requested to bring the subject before Congress and urge the desirability of requesting all governments having ministers resident in this country to authorize said ministers to act in conjunction with persons appointed by our government, thus constituting a joint commission for the purpose of drafting a Code of international laws, to be submitted to the several governments represented in said commission, which Code of international laws shall provide for a court of arbitration whereby all disputes and differences arising among these nations may be peacefully settled.

On motion of Senator Reiniger, the concurrent resolution, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

The concurrent resolution was adopted.

Senator Smith of Wapello, moved that House file No. 275 be recalled from the Committee on Mines and Mining and referred to the Committee on Labor.

Lost.

Senate file No. 236 was, on motion of Senator Bolter, recommitted to the Committee on Judiciary.

President *pro tem* Kelly took the chair.

Senator Reiniger moved the adoption of his concurrent resolution, introduced on yesterday, relative to the passage of the "Pure Food Bill" now pending in the national congress.

The resolution was adopted.

HOUSE BILLS.

House file No. 275, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa, in lawful money of the United States, and to protect said workmen in the the management and control of their own earnings.

Read first and second times and referred to Committee on Mines and Mining.

House file No. 33, a bill for an act to change the rule as to the burden of proof in actions grounded on negligence.

Read first and second times and referred to Committee on Judiciary.

House joint resolution No. 4, in reference to the special tax for retail dealers of liquor.

Read first and second times and referred to Committee on Suppression of Intemperance.

House file No. 130, a bill for an act to amend section 3727 of the Code, providing for the taking of depositions in certain cases.

Read first and second times and referred to Committee on Judiciary.

House file No. 137, a bill for an act to amend chapter 17, of the acts of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Railways.

House joint resolution No. 3, instructing our Senators and requesting our Representatives in Congress to procure the passage of an act of Congress, which shall provide for indemnifying the *bona fide* settlers upon what is known as Des Moines River Lands, whose titles have failed.

Read first and second times and referred to Committee on Federal Relations.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House joint resolution No. 7, proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within this State.

CHAS. BEVERLY, *Chief Clerk.*

BILLS ON THIRD READING.

On motion of Senator Cleveland, Senate file No. 55, a bill for an act to repeal sections 10, 11, 12, chapter 165, laws of the Seventeenth General Assembly, and to enact a substitute therefor; also to amend sections 9 and 13, chapter 165, laws of the Seventeenth General Assembly, in reference to capital punishment, with report of committee recommending that the bill do pass, was taken up and considered.

On motion of Senator Cleveland, the special order for this hour was deferred until Senate file No. 55, now under consideration, is disposed of.

Senator Cleveland offered the following amendments to Senate file No. 55:

First. Amend section 1 as follows: Add after the word "section" in first line the figures "6" and "7."

Second. Insert the following sections between sections one and two of the printed bill:

SEC. 2. The only officers who shall have power to reprieve or suspend the execution of a judgment of death are the Governor and the Warden of the penitentiary, as provided in the next section, except in cases of appeal to the Supreme Court, as provided in section seventeen (17), of chapter 165, acts of the Seventeenth General Assembly.

SEC. 3. Whenever the Warden of the penitentiary is satisfied that there are reasonable grounds for believing that a defendant in his charge, under sentence of death, is insane or pregnant, he shall notify the commissioners of insanity of the county wherein the penitentiary is located, who shall be sworn by the Warden well and truly to inquire into the facts as to the insanity or pregnancy of the defendant, as the case may be, and a true inquisition returned.

The commissioners, after being sworn, shall examine the defendant, and hear any evidence that may be presented, and may examine the medical attendants at the penitentiary, if deemed necessary by the commissioners to ascertain the facts, and by written inquisition, signed by the commissioners, or a majority of them, shall find as to the insanity or pregnancy of the defendant.

If the inquisition does not find the defendant insane or pregnant, the Warden shall not suspend the execution, but if the inquisition does find the defendant insane or pregnant he shall suspend the execution and immediately transmit the inquisition to the Governor.

Third. By renumbering the remaining sections 4, 5, 6, 7, respectively.

The amendments were adopted.

Senator Reiniger offered the following amendment to the bill, and moved its adoption:

A judgment of death must be executed by the sheriff in the penitentiary wherein the defendant under sentence is confined, under the provisions of section 3 of this act, on the day fixed in the judgment of conviction or warrant of the governor, between sunrise and sunset, by a current of electricity applied to the body of the defendant, in such manner as to cause death in the shortest time attainable.

Senator Shields moved that the bill as amended be printed, and that the consideration of the bill be postponed.

Senator Mattoon moved to amend by having the bill retain its place on the calendar, which was accepted, and the motion was lost.

The question being on the adoption of the amendment offered by Senator Reiniger.

Lost.

On motion Senator Shields further consideration of the bill was postponed until to-morrow, the bill as amended ordered printed and it retains its place on the calendar.

Senator Cleveland took the chair.

The special order was resumed at 11:30 o'clock, it being the consideration of Senate file No. 323.

On motion of Senator Kelly, Senate file No. 323, a bill for an act to protect makers of notes, with report of committee recommending amendments and as amended the bill do pass was taken up and considered.

On motion of Senator Bolter, House file No. 81, a bill for an act to protect makers of negotiable instruments was taken up and read.

The question being on the adoption of the report of the committee on Senate file No. 323.

The report was adopted.

Senator Finn offered the following amendments to Senate file No. 323: Add after the word "insurance," in line three, section 1, "or bankers or curbstone brokers." Add after the word "insurance," in line seven of section 1, the words, "or is taken by a banker."

Pending discussion of the question the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 10, 1892. }

Senate met in regular session at 10 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Brower presented the following resolutions, which were read, referred to the Committee on Military, and ordered printed in the journal:

DES MOINES, IOWA, March 9, 1892.

To the Senate of the State of Iowa:

The undersigned, representing a committee appointed by the Encampment of the Grand Army of the Republic, held at Dubuque in April last, beg leave to call attention to the following resolutions passed by that encampment, and which will properly introduce the subject of this memorial:

Resolved, That the Grand Army of the Republic, in the seventeenth annual encampment assembled, hereby reaffirms the action of the sixteenth encampment, with reference to the appropriations by the State out of said direct tax for a State soldiers' and sailors' monument, arch, memorial hall or monument and memorial hall combined, expressive on the part of the people of the State their appreciation of the patriotism, courage and distinguished soldierly bearing of their fellow citizens as manifested in the recent war for the defense of the Union.

Resolved, further, That a committee of five comrades be appointed to present, on behalf of this department, to the next General Assembly this action of the department, and by all honorable means within their power to urge and secure favorable legislation in accordance with the foregoing resolutions.

In obedience to the above resolutions the committee beg to say, that they have nothing to urge beyond the report already made by the State Commission, and this memorial is mainly for the purpose of disabusing the minds of those of the General Assembly who have been asked to believe that the soldiers of the Grand Army are adverse to or indifferent to the erection of a monument to the heroism and devotion of their dead comrades. On the contrary, successive annual encampments have recommended a memorial, and a majority of the members of the posts of the Grand Army have recently voted for such a monument.

Neither does this committee, nor do the soldiers of the Grand Army they represent, desire to press the matter further than this, and respectfully leave it in the hands of, and to the wisdom of the General Assembly.

Respectfully,

W. T. RIGBY,
E. B. MESSER,
S. B. EVANS,
Committee.

Senator Gatch presented the following memorial, which was read, referred to the Committee on Military, and ordered printed in the Journal:

To the Twenty-fourth General Assembly of Iowa:

GENTLEMEN—A generation has passed since the beginning of the civil war which saved the nation from threatened dismemberment. The new generation is, and each generation after it must be, absorbed in its own current questions and affairs and the mighty interests of that struggle and the significance of it are being remanded to obscurity and forgetfulness.

It is an eminently desirable and worthy thing that something besides the result of the contest should tell of the cost at which these results were won.

It is consonant with the usage of civilized man that some specific memorial should testify to the world that signal, heroic, patriotic devotion to the public welfare shall not fail of recognition and gratitude.

Ten thousand soldiers of our State fell in that fearful and bloody strife. There is to-day on our soil no state monument whatsoever which expresses the approval and admiration of Iowa for their splendid service and their noble offering of themselves to be consumed in the furnace of war,

It is fitting that citizens of the State—comrades of those who fell—who are soldiers no longer, but citizens, should, before they pass away, bespeak of their fellow citizens and for their representatives some timely consideration and speedy action concerning a suitable and permanent memorial of the bravery and suffering and sacrifice of Iowa men.

The Iowa Commandery of the military order of the Loyal Legion of the United States, at its monthly meeting in Des Moines, March 8, 1892, appointed a committee to lay this subject before the honorable bodies of the Twenty-fourth General Assembly, in the following resolution:

Resolved, by this Commandery of the Loyal Legion of the United States, That the present General Assembly be earnestly requested to enact such legislation before it shall adjourn as to insure the prompt beginning and the efficient prosecution of the erection of a soldiers' and sailors' monument according with the report of the commission previously appointed to consider the subject, and make recommendations in regard to the same. The said monument to be a token of honor, remembrance and affection for those who counted not their lives dear unto themselves when compared with the preservation of the Union; an object lesson of patriotism and a slight expression of the appreciation which a grateful people cherish toward their unselfish defenders.

Respectfully submitted,

A. L. FRISBEE,

HOYT SHERMAN,

GEORGE G. WRIGHT.

Committee of Loyal Legion.

Des Moines, March 9, 1892.

PETITIONS AND MEMORIALS.

Senator Mosnat presented petition of twenty voters of Benton county protesting against the repeal of the prohibition law.

Referred to Committee on Suppression of Intemperance.

Senator Kelly presented petition of fifty-five citizens of Iowa

county asking for the erection of cottages at Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Reiniger presented petition of H. F. Miles and eighty-six other citizens of Charles City in favor of the erection of cottages at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Dodge presented petition of eighty citizens of Burlington, Iowa, protesting against passage of Senate file No. 295.

Referred to Committee on Fish and Game.

The journals of March 3d, 4th, 5th, 7th, 8th and 9th were corrected and approved.

Senator Smith of Wapello, moved that the substitute for House file No. 46 be made a special order for to-morrow, at 10:30 o'clock A. M.

Carried.

Senator Perkins offered the following resolution:

Resolved, That on and after Monday, March 14th, the Senate hold two sessions each day. Said sessions to begin at 10 A. M. and 2 P. M.

Senator Kelly offered the following substitute, which was accepted:

Resolved, That hereafter the daily sessions of the Senate shall be from 9:30 o'clock A. M. until 12 o'clock M.; and from 2 o'clock P. M. until 5 o'clock P. M.

Senator Reiniger offered the following substitute, and moved its adoption:

Resolved, That hereafter the Senate meet at 9 o'clock A. M. each day, with afternoon sessions as provided by the present rules.

The yeas and nays were demanded.

The yeas were:

Senators Bolter, Brower, Chantry, Conaway, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Mack, Mosnat, Oleson, Palmer, Parrott, Perry, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—32.

The nays were:

Senators Andrews, Bailey, Cleveland, Dodge, Everall, Gatch, Kelly, Kent, Lewis, McCall, Mattoon, Perkins, Rich, Smith of Wapello—14.

Absent or not voting:

Senators Bishop, Dent, Engle, Reynolds—4.

So the substitute offered by Senator Reiniger was adopted.

The question now being on the adoption of the resolution as substituted by Senator Reiniger.

The resolution as substituted was adopted.

INTRODUCTION OF BILLS.

By Senator Smith of Butler, by request, Senate file No. 349, a bill for an act to better provide for the publication of the proceedings of the county board of supervisors.

Read first and second times and referred to Committee on Printing.

By Senator Gardiner, Senate file No. 350, a bill for an act to legalize amendments and renewals of corporations.

Read first and second times and referred to Committee on Corporations.

By Senator Mattoon by request, Senate file No. 351, a bill for an act to better provide for the care of insane persons and to prohibit the keeping of insane persons not residents of this State in any hospitals for the insane belonging to the State.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Gobble, Senate file No. 352, a bill for an act to amend chapter 111 of the acts of the Seventeenth General Assembly, relating to assets of insurance companies.

Read first and second times and referred to Committee on Insurance.

By Senator Palmer, Senate file No. 353, a bill for an act to repeal section 2, chapter 178, laws of the Twentieth General Assembly, and make a substitute therefor.

Read first and second times and referred to Committee on Military.

REPORT OF COMMITTEES.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report :

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 276, a bill for an act amendatory of chapter 43, laws of the Twenty-third General Assembly, relating to the arrest, trial and punishment of tramps, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 314, a bill for an act to amend chapter 16, of the acts of the Twenty-second General Assembly, relating to improvements of, and granting additional powers to cities of the first and second class, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended that it do pass:

That the words, "of chapter 16 of the acts of the Twenty-second General Assembly" be inserted after the word "one," which occurs as the eighth word in line one of section one.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 402, a bill for an act to enable the inhabitants of two counties lying contiguous to each other to organize into a city or incorporated town, and defining the jurisdiction of mayors thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 196, a bill for act to amend sections 14 and 16 of chapter 168, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the following as section 3 thereof, and, when so amended, that it do pass :

SECTION 3. That section 18 of chapter 168, acts of the Twenty-first General Assembly, be and the same is hereby repealed, and the following enacted in lieu thereof :

SEC. 18. Any owner of any lot or lots assessed for the payment of the cost of any such improvement, who will not promise and agree in writing, as provided by section 17 hereof, shall be required to pay his assessment in full, when made, and the same shall be collectable by or through any of the methods provided by law for the collection of assessments for local improvements, including the provisions of this act : *Provided*, that if any such owner who shall have so promised and agreed in writing shall fail to pay any annual installments of any such assessment after the same shall have been entered upon the tax list, as in section 12 hereof provided, and shall permit the same to become delinquent, all other unpaid installments of such assessment shall thereupon become due, payable and delinquent, and the county treasurer shall treat the whole amount of said assessment remaining unpaid in all respects as other delinquencies, and proceed to collect and enforce payment of the same in the same manner.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 246, a bill for an act to empower cities under special charter to levy a special tax for sweeping, cleaning, sprinkling and repairing paved streets and alleys, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended, that it do pass :

That the words "sweeping, sprinkling, cleaning and," which occur as the third, fourth, fifth and sixth words in line two of the title of the bill, and the words "sweeping, cleaning and," which occur as the sixth, seventh and eighth words in

line four of section 1, and the word "it," which occurs as the last word in line seven of section 1, all be stricken out.

That the word "that" be inserted in lieu of the stricken out word "it" in line seven, section 1.

That the words "sweep, sprinkle, clean and," which occur as the eleventh, twelfth, thirteenth and fourteenth, in line three, section 2, and the word "sweeping," which occurs as the last word in line five of section 2, and the words "cleaning, sprinkling or," which occur as the first, second and third words in line six of section 2, be stricken out.

That the word "two," which occurs as the eleventh word in line seven of section 2, be stricken out, and the words "one-half" be inserted in lieu thereof.

That the letter "s" be stricken off the word "mills," which occurs as the twelfth word in line seven of section 2.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 331, a bill for an act amending section 1 of chapter 130 of the laws of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1, line 1, be amended by striking out the word "one" and inserting in lieu thereof the word "two," and after the word "clerk," in the seventh line, section 1, the word "and" be stricken out, and that in the same line the word "also" be stricken out, and the word "however" be inserted in lieu thereof, and that as amended it do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 310, a bill for an act to more clearly define the rights of the feeder of cattle and other live stock, on pasture or otherwise, to the possession of the live stock until paid therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

THOMAS RICH, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 343, a bill for an act to amend section 1727 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Mosnat, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred memorial of LeGrand Byington, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that from all the papers submitted it is the opinion of the committee that there never was any legal and just claim against the State University.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Senator Smith, of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 299, a bill for an act to legalize the revised ordinances of 1881, and ordinances numbered from 27 to 41, inclusive, of the town of Adel, Dallas county, Iowa, and all resolutions passed and official acts done by the town council of said town.

Also, House file No. 144, a bill for an act legalizing the acts of the council of La Porte City, Black Hawk county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city.

Also, House file No. 69, a bill for an act legalizing the acts of the council of the incorporated town of Greene, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said incorporated town.

Also, House file No. 268, a bill for an act to legalize the incorporation of the town of Garden Grove, county of Decatur, and State of Iowa.

Also, House file No. 181, a bill for an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 26, of the laws of the Twenty-third General Assembly, of the State of Iowa, relating to the bonding of county indebtedness.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

BILLS ON THIRD READING.

On motion of Senator Terry, Senate file No. 324, a bill for an act to legalize the franchise of the Cedar Rapids Electric Light and Power Company and certain ordinances of the city of Cedar Rapids, granting, defining and fixing such franchises, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Terry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Funk, Gardiner, Gatch, Gobble,

Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—43.

The nays were :

None.

Absent or not voting:

Senators Dent, Engle, Finn, Mattoon, Reynolds, Smith of Wright, Vale—7.

So the bill passed and the title was agreed to.

Senator Bolter took the chair.

Senator Perry offered the following resolution, and moved its adoption:

Resolved, That a special committee be appointed, of two from each party, to select from the calendar and report to the Senate, at least ten bills, considered to be of greatest public interest, and that they shall be considered before any other bills on the calendar, except legalizing acts and bills recommended for indefinite postponement.

Under the rules, the resolution went over until to-morrow.

Leave of absence was granted Senator Reynolds for to-day.

On motion of Senator Gardiner, Senate file No. 305, a bill for an act legalizing an ordinance of the city of Clinton, being chapter 163, and the authority therein and thereby granted to the Clinton Water Works Company, to maintain, continue, improve and extend its water works in said city, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gardiner moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Engle, Everall, Finn, Reiniger, Reynolds, Smith of Wright—6.

So the bill passed and the title was agreed to.

On motion of Senator Kelly, Senate file No. 323 was taken up for consideration.

The question being upon the amendments offered by Senator Finn on yesterday.

The amendments were lost.

Senator Kelly offered the following amendment: Strike out the word "traveling" when it is used in said section and insert in lieu thereof the word "itinerant."

Adopted.

Senator Parrott offered the following amendment: Strike out the words, "goods, wares and merchandise," in lines 2, 6 and 12 of said bill.

The yeas and nays were demanded.

The yeas were:

Senators Bolter, Chantry, Dent, Finn, Gardiner, Gatch, Harmon, Jamison, Palmer, Parrott, Perry, Schmidt, Shields, Smith of Wright, Stewart, Turner—16.

The nays were:

Senators Andrews, Bishop, Cleveland, Conaway, Everall, Funk, Gobble, Green, Groneweg, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Perkins, Reiniger, Smith of Butler, Smith of Wapello, Terry, Yeomans—24.

Absent or not voting:

Senators Bailey, Brower, Dodge, Engle, Green, Hager, Oleson, Reynolds, Rich, Vale—10.

So the amendment was lost.

Senator Mosnat offered the following amendment, and Senator Kelly moved its adoption:

Insert in line 7, after the word "insurance," "and said notes shall be made payable in the county where the maker resides at the time of making said note;" and insert in line 14, after the word "faith," "or that the same is payable in the county where the maker resides."

Adopted.

Senator Reiniger offered the following amendment, and moved its adoption:

Amend section 1 by inserting after the word "any," in the third line, the word "itinerant;" also, by inserting the words "or solicitor," after the word "agent," in the same line of printed bill.

Pending discussion, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate met as per adjournment, President *pro tem* Kelly presiding.

INTRODUCTION OF BILLS.

By Senator Oleson, Senate file No. 354, a bill for an act to regulate the keeping and sale of intoxicating liquors by registered pharmacists, and to amend chapter 35, laws of the Twenty-third General Assembly.

Read first and second times and referred to Committee on Pharmacy.

At the request of Senator Cleveland, Senate files Nos. 55 and 57 were passed for the present, to retain their place upon the calender.

On motion of Senator Cleveland, Senate file No. 323 was taken up for further consideration.

Senator Finn offered the following as a substitute for Senate file No. 323, as amended:

All promissory notes hereafter given, the consideration of which shall be anything excepting money actually loaned, shall be subject to all legal defenses in the hands of any holder, and all such notes shall state the consideration for which given, and no personal action shall be maintained for the collection of the same excepting in the county where the maker resides.

Senator Groneweg took the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked:

House file No. 427, substitute for House file No. 391, a bill for an act to amend section 159 of the acts of the Twentieth General Assembly of the State of Iowa, to repeal sections 2 and 4 thereof, and enact a substitute therefor.

CHAS. BEVERLY, *Chief Clerk,*

Per D. H. SCOTT, First Ass't.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills without amendments, in which the concurrence of the House was asked:

Senate file No. 174, a bill for an act to increase the number of judges in the Second judicial district.

Also:

Senate file No. 39, a bill for an act to increase the number of judges in the Seventh judicial district.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT. *1st Ass't.*

The question now being, "Shall the substitute offered by Senator Finn for Senate file No. 325, as amended, be adopted?"

Upon this question the yeas and nays were demanded.

The yeas were:

Senators Finn, Gardiner, Harsh, Jewett, McCall, Mattoon, Palmer, Reynolds—8.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Parrott, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Vale, Yeomans—34.

Absent or not voting:

Senators Chantry, Dent, Dodge, Engle, Perkins, Smith of Wright, Stewart, Turner—8.

So the substitute was lost.

The question now being upon the adoption of the amendment offered this morning by Senator Reiniger.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Chantry, Gatch, Harmon, Harsh, Jamison, Parrott, Perry, Reiniger, Reynolds, Shields, Turner—13.

The nays were:

Senators Bailey, Bishop, Brower, Cleveland, Conaway, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Palmer, Perkins, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Vale, Yeomans—31.

Absent or not voting:

Senators Dent, Dodge, Engle, Oleson, Smith of Wright, Terry—6.

So the amendment was lost.

Senator Kelly moved the previous question.

The previous question was seconded and ordered.

On the question, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Brower, Chantry, Cleveland, Conaway,

Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—37.

The nays were:

Senators Andrews, Bolter, Dent, Gatch, Harmon, Hurst, Reiniger, Schmidt, Shields—9.

Absent or not voting: .

Senators Dodge, Engle, Kent, Smith of Wright—4.

So the bill was ordered engrossed.

Senator Kelly took the chair.

Senate file No. 111, a bill for an act to amend chapter 70, laws of the Twenty-third General Assembly, also chapter 42 of the Twenty-second General Assembly, relating to damages done by dogs, with report of committee, recommending that the bill do pass, was taken up and considered.

Senator Turner offered the following amendment, which was adopted:

Amend by striking out all after the enacting clause and insert the following: "That section 2292 of the Code be amended by adding after the word 'fund' in the last line, the following: *Provided*, however, that the provisions of this act shall not apply to any damage done by dog or dogs affected with hydrophobia."

Upon the question "Shall the bill be engrossed and read a third time to-morrow?"

The question prevailed and the bill was ordered engrossed.

Senate file No. 19, a bill for an act to impose a collateral inheritance tax, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Gatch offered the following amendment to the bill and moved its adoption:

"SECTION 17. If upon the decease of any person leaving an estate liable to a tax under the provisions of this act, and a will disposing of such estate is not offered for probate or an application for administration made within four months from the time of such decease, the treasurer of the proper county may make application to the district court setting forth such fact and praying that an administrator may be appointed; and thereupon said court shall appoint an administrator to administer upon such estate.

SEC. 18. No final settlement of the account of any executor, administrator or trustee shall be accepted or allowed by any district court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon any property or interest therein, belonging to the estate to be set-

tled by said account, have been paid and receipted for by the treasurer of proper county.

SEC. 19. The treasurer of the proper county shall, within six months after the same shall become due and payable, bring suit in his own name for the use of the State for the recovery of all taxes remaining unpaid, and shall also bring such suit when a judge of the district court shall certify to him that the final account of any executor, administrator or trustee has been filed in said court, and that a final settlement of such estate is delayed by reason of the non-payment of such tax, and such certificate shall issue upon the application of any heir, legatee or any person in interest; *provided*, however, that the district court may extend the time when any tax shall be due and payable whenever the circumstances of the case may require.

Senator Harsh offered the following amendment, which was adopted:

Insert the word "five" instead of the word "three," in line 8 of section 1.

The question now being, "Shall the bill be engrossed and read a third time tomorrow?" which question prevailed, and the bill was ordered engrossed for a third reading.

Senate file No. 55, a bill for an act to repeal sections 10, 11, 12, chapter 165, laws of the Seventeenth General Assembly, and to enact a substitute therefor; also to amend sections 9 and 13, chapter 165, laws of the Seventeenth General Assembly, in reference to capital punishment, was taken up and considered.

Senator Andrews offered a substitute for the bill now being considered, which substitute was ruled out of order.

Senator Cleveland moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Dent, Dodge, Everall, Finn, Gatch, Gobble, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perry, Reiniger, Schmidt, Smith of Butler, Smith of Wright, Terry, Vale—29.

The nays were:

Senators Bolter, Conaway, Funk, Green, Hager, Jamison, Kent, Lewis, Mack, McCall, Perkins, Reynolds, Rich, Shields, Smith of Wapello, Stewart, Turner—17.

Absent or not voting:

Senators Brower, Engle, Gardiner, Yeomans—4.

So the bill passed and the title was agreed to.

Senator Perkins filed the following explanation of his vote:

Because I am satisfied the discipline of the penitentiary will be seriously endangered I vote "No."

GEO. W. PERKINS,
Senator Seventh District.

Senator Chantry filed the following explanation of his vote:

MR. PRESIDENT—I am opposed to capital punishment but inasmuch as the present statutes provide for the death penalty, I believe the bill now pending, should it become a law, will have the effect to minimize to some extent the horrors of a judicial execution. I vote "aye."

A. J. CHANTRY.

Senate file No. 65, a bill for an act to give boards of supervisors power to select one additional newspaper in which to publish their proceedings, with report of committee recommending amendments, and that as amended the bill do pass, was taken up and considered.

Senator Dodge took the chair.

Senator Lewis offered the following amendment to the bill under consideration and moved its adoption. Amend by adding at the end of section 1 the following: "*Provided*, That if there be no newspaper published in a foreign language in such county, the board of supervisors may select one additional newspaper printed in the English language."

The amendment was ruled out of order.

Pending further consideration of the bill the Senate adjourned until 9 A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 11, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. D. McPherson, of Des Moines.

Senators Hager and Perry are paired on political questions until Monday afternoon.

Leave of absence was granted Senator Hager until Monday, March 14th.

PETITIONS AND MEMORIALS.

Senator Perkins presented petition of E. J. Orr and a church full of the citizens of Blanchard, Iowa, praying for the retention and enforcement of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Reiniger presented petition of Rev. J. G. Miller and other professional men of Nora Springs, Iowa, favoring cottages for soldiers at Marshalltown.

Referred to Committee on Military.

Senator Cleveland presented petition of F. W. Whitney and other citizens of Atlantic, Iowa, asking the passage of House file in regard to funds in hands of county treasurers drawing interest from banks upon public funds for the benefit of counties.

Referred to Committee on Compensation of Public Officers.

Senator Schmidt presented petition of Arthur McJudy and other citizens of Davenport, Iowa, for a geological survey.

Referred to Committee on Appropriations.

Senator Jamison presented resolution of Bar Association of Indianola, Iowa, protesting against the passage of Senate file No. 282.

Referred to Committee on Judiciary.

Senator Hurst presented petition of Rev. D. H. Dowdell and ten others, asking for the extension of time for payment of the indebtedness of the Orphan Asylum at Andrew, Iowa.

Referred to Committee on Charitable Institutions.

INTRODUCTION OF BILLS.

By Senator Andrews, Senate file No. 355, a bill for an act to repeal section 3849, Code of 1873, and chapter 165, acts of the Seventeenth General Assembly, and chapter 2, acts of the Eighteenth General Assembly, and to enact a substitute therefor, abolishing capital punishment.

Read first and second times and referred to Committee on Judiciary.

By Senator Hurst, Senate file No. 356, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Read first and second times and referred to Committee on Charitable Institutions.

By Senator Mattoon, by request, Senate file No. 357, a bill for an act to prevent the adulteration of baking powders with ammonia and alum.

Read first and second times and referred to Committee on Public Health.

REPORTS OF COMMITTEES.

Senator Oleson, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate file No. 53, a bill for an act to amend section 5, chapter 75 of the acts of the Eighteenth General Assembly, granting to physicians and surgeons certificates of pharmacy, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

O. M. OLESON, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 307, a bill for an act to amend section 18, of the laws of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 258, a bill for an act in regard to the dangers incident to railroad crossings on the same level, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Dodge, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 50, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Insert after the word “before,” in line three of section 5 “a justice of the peace, or,” and that so amended the bill do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 89, a bill for an act to protect laborers from being compelled to sign contracts that are contrary to the laws of Iowa, and for the punishment of those who present such contracts to the laborers in this State, said presentation being for the purpose of receiving the signature of the laborer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out all after the word “be” in line 6 of section 1, and insert in lieu thereof “fined not less than \$100 or more than \$500;” amend by inserting after the word “before,” line 3 of section 2, “a justice of the peace, or;” strike out all of lines five and six of section 2, commencing with the word “and” at the beginning of line 5; and that as so amended the bill do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 134, a bill for an act to regulate the number of hours constituting a day's work in mines, factories and workshops, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: After the word “be,” in line 3 of section 2, strike out the words, “sentenced to imprisonment in the county jail for a period of not less than six months nor more than twelve months, at the discretion of the court,” and insert in lieu thereof the following, “fined not less than \$100 or more than \$500.” Amend section 3 by adding after the word “before,” in line 3, the following words, “a justice of the peace, or,” and that so amended your committee report the bill back to the Senate without recommendation.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Mr. Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 19, a bill for an act to impose a collateral inheritance tax, and find the same correctly engrossed.

L. W. LEWIS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 111, a bill for an act to amend chapter 70 of the laws of the Twentieth General Assembly: also, chapter 42 of the laws of the Twenty-second General Assembly, relating to damages done by dogs, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT: Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 65, a bill for an act to give boards of supervisors power to select one additional newspaper in which to publish their proceedings and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 323, a bill for an act to protect the makers of notes and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined joint resolution No. 13, a joint resolution to accept the sum appropriated by Congress to the State to refund the war tax, upon the trusts and conditions specified by the act.

Also, Senate file No. 123, a bill for an act to legalize the action of the school board of the district township of Ward, in Ward township, Clarke county, Iowa, in a certain case.

Also, Senate file No. 165, a bill for an act legalizing the organization of the city of Clinton, in the county of Clinton, and the State of Iowa, as a city of the first class, and chapter 147, of the ordinances of said city, as far as the same authorizes the City Auditor to act as City Clerk, and the acts of said City Auditor and certain ordinances and resolutions of said city.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 98, a bill for an act in relation to requiring county auditors to certify upon deeds the payment of all back taxes, including redemptions from tax sales, if any, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 311, a bill for an act to repeal section 9, chapter 60, laws of the Eighteenth

General Assembly, and enacting a substitute therefor, fixing the payment of salary of the supreme court reporter, and providing a clerk for said office, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 36, a bill for an act relating to the assessment of mortgages given on real estate, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 40, a bill for an act to legalize certain acts of the county boards of supervisors of the State in the submission to the people the proposition to borrow money and issue bonds for the purchase of court house sites and the erection of buildings, beg leave to report that they have had the same under consideration, and have prepared a substitute for the bill, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 145, a bill for an act to amend section 3275 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: In fourth line of section 1, after the word "requested," insert the words "in writing." In same section, line five, strike out the words "fifty cents" and insert "two dollars." In eighth line, same section, before the words "twenty-five," insert the words "not exceeding." Strike out all of section 1 after the word "dollars," at end of eighth line. Also by striking out the publication clause, and when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 316, a bill for an act requiring county recorders to satisfy themselves that all taxes have been paid before recording deeds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate joint resolution and memorial to Congress, relative to the election of United States senators by a direct vote of the people, beg leave to report that they have had the same under consideration. The object of this resolution having been fully covered by the passage of House joint resolution on the same subject, there is no occasion for the adoption of this resolution. We therefore recommend its indefinite postponement.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate concurrent resolution No. 7, relative to the manufacture and sale of adulterated or compound lard, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the further consideration of the same be indefinitely postponed for the reason that the Senate has already concurred in a House joint resolution fully covering the subject of this resolution.

T. B. PERRY, *Chairman*.

Ordered passed on file.

The special committee appointed to investigate and report to the Senate the names of the Senators (if any) who visited "White-chapel" on the night of February 13, 1892, submitted the following report:

To the Senate of the Twenty-fourth General Assembly:

MR. PRESIDENT—Your Special Investigating Committee appointed by the Senate on the twentieth of February last to investigate and report concerning certain statements made by a newspaper published in this city, to-wit: "That two Senators of this body, one a Democrat and the other a Republican, were found in a house of ill-fame in the city of Des Moines on Saturday, February 13, 1892, and arrested," do hereby beg leave to report: That in pursuance of such appointment, and the authority vested in us by the resolution of the Senate adopted as aforesaid make report of our doings as follows: That we at once proceeded to make a thorough investigation of the charges contained in said publication, and have spared no time and pains to ascertain the truth or falsity of the statements contained therein; that we have examined a large number of witnesses, among whom were the officers who made the arrests on the occasion referred to, and the persons who were present at that time, together with other parties who have been reported to have some knowledge concerning the same, and have in every manner possible attempted to get at the truth of the matter, to the end that justice should be done to the members of this body and that no person should be shielded or spared exposure if found guilty, and we hereby report our finding of facts as follows:

That we find no evidence whatever from any of the witnesses examined, to show that any member of the Senate of the Twenty-fourth General Assembly was present at the place commonly known as the Jeanette Allen place, in the White-chapel district in this city, on the night of February 13th, or on the morning of February 14th last, nor at any other time. That no member of this body has been at any time arrested at such place or found there by the officers of this city. That the testimony shows conclusively that on the night hereinbefore mentioned the police of the city of Des Moines raided said place mentioned above and found a

number of persons there whose names were disclosed upon such investigation, but that the testimony shows conclusively that no member of our body was present at such place at that time. That because of the rumors that two Senators were there at that time, special investigation was had to show the truth or falsity of such statement, and the result completely exonerates every Senator of this body from any reflection whatever caused by any published statement concerning the same. We desire further to state that all of the witnesses were sworn and testified under oath, and their statement has been taken by a short-hand reporter and reduced to writing, and there is practically no conflict in the testimony given before us.

We therefore present this, our report, and ask to have the same received and this committee discharged.

Dated at Des Moines, Iowa, this 10th day of March, A. D. 1892.

EDGAR E. MACK.
J. D. YEOMANS.
N. V. BROWER.
T. B. PERRY.

Ordered passed on file.

HOUSE BILLS.

House file No. 391, a bill for an act to amend chapter 159, of the acts of the Twentieth General Assembly of the State of Iowa, to repeal sections 2 and 4 thereof, and enact substitutes therefor.

Read first and second times and referred to Committee on Judiciary.

House joint resolution No. 7, proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquors as a beverage within the State.

Read first and second times and referred to Committee on Constitutional Amendments.

UNFINISHED BUSINESS.

Senate file No. 65 was taken up for further consideration.

The question being, "Shall the report of the committee be concurred in?"

Lost.

Senator Lewis offered the following amendment:

Amend by adding at the end of section 1 the following, "*provided*, that if there be no newspaper published in a foreign language in such county, the board of supervisors may select one additional newspaper printed in the English language."

Upon the question, "Shall the amendment be adopted?"

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Conaway, Jewett, Lewis, McCall, Mosnat, Reiniger, Reynolds, Vale—10.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Finn, Gardiner, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Kelly, Kent, Mack, Mattoon, Oleson, Palmer, Parrott, Perry, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Terry, Turner, Yeomans—31.

Absent or not voting:

Senators Andrews, Engle, Funk, Gatch, Hager, Jamison, Perkins, Smith of Butler, Stewart—9.

So the amendment was lost.

Senator Kelly offered the following amendment, which was adopted:

Strike out of section one, printed bill, all after the word "supervisors," in first line, up to and including the word "more," in second line of said bill.

Senator Finn moved to strike out the word "five" in line three, and insert the word "eight."

Lost.

Senator Yeomans moved the previous question.

The motion for the previous question was seconded.

On the question "Shall the previous question be ordered?"

The yeas were :

Senators Bailey, Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—27.

The nays were:

Senators Andrews, Brower, Chantry, Conaway, Finn, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright—17.

Absent or not voting:

Senators Engle, Funk, Gatch, Hager, Kent, McCall—6.

So the previous question was ordered.

On the question, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Mattoon, Mosnat, Oleson, Palmer, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—26.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Gatch, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Vale—20.

Absent or not voting:

Senators Engle, Funk, Hager, Kent—4.

So the Senate ordered the bill engrossed.

Senator Perry called up his resolution relative to having a committee appointed to report important bills to the Senate within ten days.

Senator Parrott offered the following amendment to the resolution: Amend by striking out "ten" and insert "twenty."

Senator Kelly moved to amend the amendment by making the number "fifty."

Senator McCall moved that the resolution and amendment be laid on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—41.

The nays were:

Senators Bolter and Perry—2.

Absent or not voting:

Senators Engle, Hager, Hurst, Kent, Mosnat, Stewart, Terry—7.

So the resolution and amendment were laid on the table.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked: House file No. 88, a bill to amend chapter 185, of the acts of the Twentieth General Assembly, as amended by chapter 149 of the acts of the Twenty-first General Assembly, and by chapter 82 of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil.

House file No. 106, a bill for an act providing a substitute for chapter 6 of Title 9 of the Code of 1873, for establishing and governing mutual building and loan associations.

House file No. 476, committee substitute for House files 273 and 274, a bill for an act to provide for the examination of mine managers and to regulate their employment.

CHAS. BEVERLY, *Chief Clerk.*

Senate file No. 323, a bill for an act to protect makers of notes was taken up for consideration.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gobble, Groneweg, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Perkins, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale, Yeomans—34.

The nays were:

Senators Andrews, Bolter, Gatch, Harmon, Kent, Oleson, Perry, Reiniger, Rich, Schmidt, Shields—11.

Absent or not voting:

Senators Engle, Green, Hager, Hurst, Terry—5.

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote “aye” on this bill, not because it is such a bill as the public interest demands and the people are entitled, but because it is a step in the right direction. In my judgment its provisions should extend to all promissory notes given for property and no particular business classes of men singled out as in this bill. The principle of allowing the purchaser of a note to collect the same of the maker and denying the right of same defense as might have been urged against the original holder, should be abolished. It simply means that two dishonest men, the one a taker and the other a buyer of notes, may prevent a defense no matter how meritorious, and no matter how gross the fraud and swindle of the original taker.

G. L. FINN, *Senator Sixth District.*

Senator Reiniger filed the following explanation of his vote.

If this bill did not in its scope go beyond the statutes of the State of Missouri, which it seems to follow in many respects, and did not discriminate against branches of legitimate business to such an extent as to make its constitutionality doubtful, I would vote for the bill, as I believe in protecting the makers of notes, so far as can be done, without violence to necessary and well established principles of commercial law, but as the bill in its present form, in my judgment is too broad and sweeping, in some of its provisions, and of doubtful constitutionality, I believe it my duty to vote, “no.”

ROBT. G. REINIGER, *Senator Forty-fourth District.*

Senator Perry explained his vote as follows:

MR. PRESIDENT—I desire to explain my vote. I would like to vote for this bill, and would do so but for one provision in it, relating to the sale of the right of a patent. The Supreme Court of the United States, in the case of *Patterson v. Kentworthy*, 97 U. S., 501, decided that a State has no power to pass a law requiring a person who sells a patent right—that is, the right itself, as distinguished from the article manufactured—to submit to any qualification of the note he may take from the purchaser, except such as he may choose to insert in the note. The same decision fully recognizes the right of a State to impose conditions in contracts for the sale of the product of a patent on the thing manufactured. In *Castle v. Anderson*, 25 Federal Reporter, 394, the court held, it is against the constitution of the United States for a State to impose a condition like the bill in question purposes

in a promissory note given for the purchase of a patent right, as distinguished from its product.

Senator Kelly offered the following as a substitute for the Title, which was adopted.

"A bill for an act to protect the makers of negotiable instruments in certain cases."

So the bill passed, and the title as amended was agreed to.

Senator Groneweg took the chair.

On motion of Senator Cleveland, Senate file No. 57, a bill for an act to repeal section 3792 of the Code, in reference to compensation of county recorders, with report of committee recommending that the bill do pass, was taken up and considered.

The hour having arrived, the special order being the substitute for House file No. 46; was taken up and considered.

On motion of Senator Smith of Wapello, substitute for House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce secrecy of the ballot, with report of committee recommending that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Smith of Wapello moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Greene, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—47.

The nays were:

None.

Absent or not voting:

Senators Engle, Hager, Schmidt—3.

So the bill passed and the title was agreed to.

Senator Gatch moved that Senate file No. 18, a bill for an act to establish board of supervisors of State institutions and officers, be made a special order at 10 o'clock to-morrow.

Carried.

Senator Gatch moved that the report of the Committee on Engrossed bills, on Senate file No. 19, be read.

Carried.

Senator Gatch moved that the time for adjournment be extended ten minutes.

Carried.

Senator Gatch moved that the rule be suspended and that Senate file No. 19 be read a third time now, which motion prevailed, and the bill was read a third time.

President Bestow took the chair.

On motion of Senator Kelly the hour of adjournment was extended until the bill under consideration is disposed of.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—45.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Engle, Hager, McCall, Yeomans—4.

So the bill passed and the title was agreed to.

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote "no," because I don't believe in special taxes. The property sought to be taxed already bears the just share of taxation, and because it belongs to heirs is no reason why it should be subject to an arbitrary tax without any principle to justify it. If the State may justly take five per cent from the property of heirs it can just as justly take ten or fifty per cent, or confiscate the entire property.

Senator Gobble introduced the following resolution and moved its adoption:

Resolved, That the Senate hold an evening session, Monday March 14, 1892, at 7:30 o'clock for the purpose of taking up legalizing acts, purely local measures and bills recommended for indefinite postponement where there are no objections.

Adopted.

Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 12, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by the Rev. W. A. Black of Des Moines.

PETITIONS AND MEMORIALS.

Senator Kelly presented petition of 138 citizens of Williamsburg, Iowa, favoring passage of a law which will prohibit the sale of tobacco to boys under 16 years of age.

Referred to Committee on Public Health.

Senator Bailey presented memorial of Mrs. L. B. Benedict in relation to aid by the State to the Benedict Retreat at Decorah, Iowa.

Referred to Committee on Appropriations.

Senator Smith, of Wapello, presented a petition of citizens of Wapello county favoring the erection of cottages at Soldiers' Home Marshalltown, Iowa.

Referred to Committee on Military.

Senator Palmer presented petition of S. W. Neal and one hundred and forty other citizens of Washington county, favoring closing the World's Columbian Exposition on Sunday.

Referred to Committee on Appropriations.

Senator Dodge presented petition of twenty-five citizens of Burlington, Iowa, protesting against the passage of Senate file No. 295.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate file No. 358, a bill for an act to amend section 3, chapter 161, laws of the Twenty-first General Assembly, extending the term of registers of elections to four years.

Read first and second times and referred to Committee on Elections.

By Committee on Charitable Institutions, Senate file No. 359, a bill for an act to authorize the Children's Home society, of Davenport, Iowa, to find and procure homes for any and all of the children that are inmates of the Orphans' Home at Davenport.

Read first and second times.

By Senator Engle, Senate file No. 350, a bill for an act to regulate railroad companies; to limit their compensation and to punish their contumacious managers.

Read first and second times and referred to Committee on Railways.

By Senator Engle, Senate file No. 361, a bill for an act to control the manufacture and sale of intoxicating liquors, and to protect the people against adulteration thereof and frauds and to encourage sobriety.

Read first and second times and referred to Committee on Suppression of Intemperance.

By Committee on Agriculture, substitute for Senate file No. 208, a bill for an act to repeal section 4042, of the Code of 1873, and provide a substitute therefor, and to enlarge the duties and powers of the State Dairy Commissioner.

Read first and second times.

By Committee on Public Health, substitute for Senate file No. 70, a bill for an act to amend section 1, chapter 104, of the laws of the Twentieth General Assembly.

Read first and second times.

REPORTS OF STANDING COMMITTEES.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 163, a bill for an act to repeal section 4042, and to enact a substitute therefor, relating to the sale of milk, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that your committee have recommended the passage of a committee substitute bill covering the same subject matter.

THOMAS RICH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate file No. 208, a bill for an act to repeal section 4042 of the Code of 1873, and provide a substitute therefor, and enlarge the duties and powers of the State Dairy Commissioner, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute do pass.

THOMAS RICH, *Chairman.*

Ordered passed on file.

Senator Perry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT: Your Committee on Charitable Institutions, to whom was referred a resolution, by Reiniger, relative to authorizing the Childrens' Home So-

ciety of Davenport to find homes for the children who are inmates of the Orphans' Home, beg leave to report that they have had the same under consideration, and find that there is urgent necessity for legislation on the subject in conformity with the purpose of the resolution, and have instructed me to report a bill for an act to authorize the Childrens' Home Society of Davenport to find and procure homes for any and all children that are inmates of said Orphans' Home, which bill accompanies this report, with the recommendation that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate joint resolution No. 4, relative to the arrears of pensions, beg leave to report that they have had the same under consideration, and have reached the conclusion that in view of provision already made by Congress and its evident willingness to do whatever is proper by way of justice to the soldier, there is no occasion for the adoption of this resolution; we therefore recommend that it be indefinitely postponed.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 250, a bill for an act to amend sections 1 and 2 of chapter 192 of the acts of the Twentieth General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 249, a bill for an act to empower cities of the first class to establish a department of health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 248, a bill for an act amending section 471 of the Code, as amended beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 244, a bill for an act to amend section 464 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 243, a bill for an act to amend section 1, chapter 171, of the acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 252, a bill for an act granting additional rights and powers to cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 247, a bill for an act granting additional rights and powers to cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 319, a bill for an act granting cities of the second class in the state all the powers and provisions of chapter 162 of the laws of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, and when so amended, it do pass:

That the following clause be added as section 3: "All acts or parts of acts inconsistent with this act are hereby repealed." That section 3 be changed to section 4.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 251, a bill for an act to amend section 1, of chapter 162, of the acts of the Seventeenth General Assembly of Iowa, as amended by chapter 34, of the Twenty-first General Assembly of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 242, a bill for an act to amend section 2, chapter 38 of the acts of the Nineteenth General Assembly, relating to the levy of tax for the purpose of creating a general paving fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendment be made, and when so amended that it do pass: That the word "five," which occurs as the fifteenth word in line three of section 1, be stricken out and the word "three" inserted in lieu thereof.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 38, a bill for an act granting additional power to cities organized under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 63, a bill for an act to provide for payment of fees in certain cases by the county to certain cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 239, a bill for an act to amend section 499 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to offer the attached bill as a substitute therefor.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Stewart, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 293, a bill for an act to repeal section 13, chapter 21, laws of the Twentieth General Assembly, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JOEL STEWART, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 70, a bill for an act to amend section 1, chapter 104 of the laws of

the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a substitute, and with the recommendation that the substitute do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 60, a bill for an act to settle differences between parties by arbitration, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 61, a bill for an act to provide for the assessment of railway property by the boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 259, a bill for an act to facilitate the listing of personal property for assessment and to equalize the burdens of taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 49, a bill for an act to repeal chapter 59, of the Seventeenth General Assembly, and to enact a substitute therefor, no relation to the taxation and of telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 91, a bill for an act to exempt, after the year 1892, homesteads from ordinary taxation to the value of one thousand dollars, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be disposed of by the Senate in its entirety, without any recommendation from the committee.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 250, a bill for an act legalizing the acts and ordinances of the incorporated town of Charter Oak, Crawford county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 333, a bill for an act to legalize the incorporation of the town of Monroe, Jasper county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 259, a bill for an act legalizing the incorporation of the Presbyterian church, of Toledo, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 348, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa, in relation to the levy of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 286, a bill for an act legalizing the action of independent school districts of Table Mound and Salem, Dubuque county, Iowa, relative to transfer and annexation of territory, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 42, a bill for an act to amend section 35 of the Code as amended by chapter 132, laws of the Sixteenth General Assembly, relative to printing session laws, beg

leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 235, a bill for an act to amend section 2743, Code of 1873, relative to findings of fact and law in all trials by the court, beg leave to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 117, a bill for an act to create the office of county engineer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 78, a bill for an act creating a State board of examiners of civil engineers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 296, a bill for an act repealing that part of section 1, chapter 16, of the laws of the Twenty-second General Assembly and section 1, chapter 2, of the laws of the Twenty-third General Assembly, relating to the bridge fund, and enacting in lieu thereof a law giving the board of supervisors of the several counties of the state full control of the levying and expending of the bridge fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 80, a bill for an act to fix the time for working the Highways, in the expenditure of the tax known as the "Highway Tax," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 266, a bill for an act governing the letting of contracts for highway bridges with a required capacity and the general care of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Senator Mosnat, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 173, a bill for an act appropriating funds to pay the administrator of the estate of William W. Belknap, and Amanda T. Belknap, his widow, for services rendered in connection with the collection of direct war tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it do pass.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 99, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that a bill covering the same subject has been passed by the Senate.

J. J. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 62, a bill for an act to secure more fully the independence of electors at public elections, to prevent intimidation and bribery, to secure the secrecy of the ballot and to provide for the use of Myer's American Ballot Machine, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. J. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 7, a bill for an act to provide for printing and distributing ballots at public expense and regulating the manner of conducting elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that a bill covering the same subject has been passed by the Senate.

J. J. SMITH, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred, concurrent resolution for the pardon of Wm. Riddle, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution be adopted.

M. J. KELLY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 330, a bill for an act relating to the convict labor law at the penitentiaries of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

M. J. KELLY, *Chairman.*

Ordered passed on file.

MR. PRESIDENT—We respectfully beg leave to dissent from the report of the majority of the Committee on Judiciary, to which was referred Senate file No. 36. A bill for an act to provide for the assessment of real estate mortgages to the mortgagee, and ask to report recommending that the bill do pass.

The purpose of this bill is to compel non-resident mortgagees to pay taxes on the interest they hold in real estate within this State. We do not believe a bill of greater importance to the tax-payers of the State has been introduced the present session, in either branch of the General Assembly. It proposes to reach, for the purposes of taxation, a large amount of capital employed in this State, represented by non-residents. It is believed, taking the last census reports as a basis, that there are at least seventy-five millions of dollars loaned out in this State secured by mortgages on real estate held by non-residents, on which no taxes are paid by them. Why any one should be willing that this vast amount of money escape taxation, has never been explained. According to the revenue laws of this State, if two men, A. and B., one a resident and the other a non-resident, hold first and second mortgages for equal amounts on the same real estate, the resident mortgagee is required to pay tax on the money secured by the mortgage he holds, while the non-resident mortgagee pays no taxes on his mortgage. They each have the same interest in the same mortgaged real estate. Our laws protect the non-resident mortgagee's interest in the mortgaged premises just as effectually and well as they do the resident mortgagee's. The latter pays tax for his protection, while the non-resident law gives him on the same interest which he holds in the real estate. There appears to be a manifest discrimination by our law as it now stands in favor of the non-resident money lender over our own citizens. The non-resident may lend his money in this State for 8 per cent. interest, including commissions, and be secured in its payment by mortgage on our real estate and we exempt him from paying any tax for the protection our law gives him in his security.

On the other hand, we compel one of our citizens to pay tax under precisely the same condition of things, save and except that he is a resident, while the other man is a non-resident. The non-resident mortgagee should be made to pay tax on his mortgage as an act of justice to money lenders who are residents of this State and the other tax-payers of Iowa. Our laws should no longer discriminate in this mat-

ter, but be changed, as proposed by the bill, so that all sorts and conditions of men enjoying the protection of the law should be made to bear the equal burden of taxation, and every man pay his fair share, according to what he may have. If this bill should pass and seventy-five millions more property be added for assessment and taxation, it would very greatly relieve the heavy burdens of the farming and great industrial classes of this State, who have so long been taxed to pay what these non-residents should have paid.

A law substantially like this has been in force in California for some time, to the entire satisfaction of the people of that State, so far as known and which has been sustained by the supreme court of California in the case of *Newman vs. Bird County*, California. Massachusetts has a law somewhat like this in its main features. The power, or right of this General Assembly to pass this bill we think is certain. Every non-resident, real estate mortgagee has an interest in the mortgaged land over which the taxing power of this state has jurisdiction. To the extent of this equitable interest, we have no doubt we have the right to tax. What our laws protect, we have jurisdiction to tax. The equitable interest a non-resident has in real estate is represented by the amount due on his mortgage. If this bill fails, it will not be long until this question will be made an issue before the people and be decided by them in terms so plain as not to be misunderstood by legislators. The authorities on taxation, so far as we have been able to examine, hold in favor of the jurisdiction to tax this kind of an interest of a non-resident in real estate, and we believe the people demand the exercise of this jurisdiction in favor of its taxation.

T. B. PERRY.

J. J. SMITH.

On motion of Senator Gatch, the concurrent resolution, relative to swamp land indemnity, was taken up, read and adopted.

On motion of Senator Stewart, Senate file No. 50 was re-committed to the Committee on Mines and Mining.

HOUSE BILLS.

House file No. 476, a substitute for House file No. 341, a bill for an act to provide for the examination of mine managers and regulate their employment.

Read first and second times and referred to Committee on Mines and Mining.

House file No. 106, a bill for an act providing a substitute for chapter 6, of title 9, of the Code of 1873, for establishing and governing mutual building and loan associations.

Read first and second times and referred to Committee on Corporations.

House file No. 88, a bill for an act to amend chapter 185, of the acts of the Twentieth General Assembly, as amended by chapter 149, of the acts of the Twenty-first General Assembly, and by chapter 82, of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil.

Read first and second times and referred to Committee on Compensation of Public Officers.

Senate file No. 111, a bill for an act to amend chapter 70, laws of the Twenty-third General Assembly; also chapter 42 of the Twenty-second General Assembly, relating to damages done by dogs, was taken up for consideration.

The bill having been engrossed, was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conway, Dent, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

Senator Andrews—1.

Absent or not voting:

Senators Dodge, Hager, Mosnat, Reiniger, Smith of Wright—5.

So the bill passed and the title was agreed to.

Senate file No. 65, a bill for an act to give boards of supervisors power to select one additional newspaper in which to publish their proceedings, was taken up for consideration.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Cleveland, Conway, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Palmer, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—29.

The nays were:

Senators Brower, Chantry, Engle, Finn, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Parrott, Perkins, Reynolds, Vale—15.

Absent or not voting:

Senators Andrews, Bailey, Funk, Hager, Reiniger, Smith of Wright—6.

So the bill passed and the title was agreed to.

By request of Senator Vale, leave of absence was granted Senator Reiniger for to-day on account of sickness.

On motion of Senator Kelly concurrent resolution relative to the final adjournment of the Twenty-fourth General Assembly was adopted.

Senator Mack filed the following motion to reconsider the vote taken on the concurrent resolution relative to final adjournment:

MR. PRESIDENT—I move to reconsider the vote by which the resolution relating to final adjournment on March 23, 1892, was carried, and will call same up at a later date for action.

EDGAR E. MACK, *Senator Fiftieth District.*

On motion of Senator Gatch, Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the Academy of Sciences, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Brower, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Bailey, Bolter, Chantry, Cleveland, Funk, Groneweg, Hager, Jamison, Kent, Mattoon, Palmer, Reiniger, Rich, Smith of Wright—14.

So the bill passed and the title was agreed to.

On motion of Senator Brower, Senate file No. 133, a bill for an act to amend the military Code to increase the efficiency of the National Guard, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Brower moved that the bill be engrossed, which motion prevailed.

Senator Reynolds filed the following motion to reconsider the vote by which the bill was ordered engrossed:

MR. PRESIDENT—I move that the vote by which Senate file No. 133 was ordered engrossed be reconsidered.

E. M. REYNOLDS, *Senator Third District.*

The hour having arrived for the special order, it being the consideration of Senate file No. 18, it was taken up and considered.

The question being upon the adoption of the report of the committee.

The report of the committee was adopted.

Senator Perry moved that the bill be considered by sections.

Carried.

Section 1 was read, and on motion of Senator Gatch, was adopted as amended.

On motion of Senator Gatch section 2 was adopted.

Senator Gobble took the chair.

Section 3 was read, and Senator Perry offered the following amendment, which was lost:

"Insert after the word 'office,' as the same appears in line 3 of section 3, the following: '*Provided*, that until the first day of March, 1894, the members of said board shall each receive only \$5.00 per day and expenses for the time actually employed by them,' and also by inserting after the word 'provided,' in said line 3 of section 3 the word 'further.'"

Senator Mack offered the following amendment:

Strike out the words "fifteen hundred" and insert the words "two thousand," in section three of the bill.

The question being upon the adoption of the amendment.

The yeas and nays were demanded.

The yeas were:

Senators Andrews, Harsh, Mack, Palmer, Parrott, Turner—6.

The nays were:

Senators Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Jewett, Kelly, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Rich, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Vale, Yeomans—33.

Absent or not voting:

Senators Bailey, Funk, Hager, Harmon, Jamison, Kent, Lewis, Reiniger, Reynolds, Schmidt, Smith of Wapello—11.

So the amendment was lost.

Senator Brower moved to reconsider the vote by which Senator Perry's amendments to section three were lost.

The question now being "Shall the vote of the senate be reconsidered?" on this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Hurst, Kelly, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Reynolds, Shields, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale, Yeomans—35.

The nays were:

Senators Harsh, Jamison, Jewett, Palmer, Smith of Butler—5.

Absent or not voting:

Senators Bailey, Funk, Hager, Kent, Lewis, Parrott, Reiniger, Rich, Schmidt, Turner—10.

So the vote of the Senate was reconsidered.

The question now being: "Shall the amendment to section 3 offered by Senator Perry, be adopted?"

Upon this the yeas and nays were demanded.

The yeas were :

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Harmon, Hurst, Jamison, Jewett, Lewis, Mattoon, Mosnat, Oleson, Perry, Reynolds, Rich, Shields, Smith of Wright, Stewart, Terry, Vale, Yeomans—32.

The nays were:

Senators Conaway, Gardiner, Groneweg, Harmon, Mack, McCall, Palmer, Parrott, Perkins, Schmidt, Smith of Butler, Smith of Wapello—12.

Absent or not voting:

Senators Bailey, Hager, Kelly, Kent, Reiniger, Turner—6.

So the amendments were adopted.

Senator Gatch moved that the Secretary be instructed to have the records show that the report of the committee on the bill now under consideration was adopted.

Carried.

Senator Yeomans moved the previous question.

On the question, "Shall the previous question be seconded."

The yeas were:

Senators Bishop, Cleveland, Dent, Dodge, Finn, Gardiner, Gatch, Gobble, Green, Hurst, Kelly, Mattoon, Oleson, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Terry, Yeomans—22.

The nays were:

Senators Andrews, Bailey, Bolter, Chantry, Conaway, Everall, Funk, Groneweg, Harmon, Harsh, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Smith of Butler, Stewart, Turner, Vale—21.

Absent or not voting:

Senators Brower, Engle, Hager, Jamison, Kent, Mosnat, Reiniger—7.

So the previous question was seconded and ordered.

On the question, "Shall the bill be engrossed?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Egle, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—29.

The nays were:

Senators Bailey, Chantry, Conaway, Finu, Funk, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Schmidt, Turner, Vale—19.

Absent or not voting:

Senators Hager, Reiniger—2.

So the Senate ordered the bill engrossed for a third reading.

President Bestow took the chair.

Senator Perkins filed the following explanation of his vote:

MR. PRESIDENT—Because debate has been cut off on this important measure and the vote forced without any opportunity being given to perfect the bill, I vote "no."

GEO. W. PERKINS,
Senator Seventh District.

On motion of Senator Brower, Senate file No. 260 was made a special order for Tuesday, March 15th, at 10:30 A. M.

By request of Senator Smith of Butler, Senate file No. 338, was recalled from the Committee on Appropriations and referred to the Committee on Claims.

By request of Senator Everall, leave of absence was granted Senator McCall until Monday.

Senator Dent moved that the hour of adjournment be postponed until House file No. 88 be considered.

Carried.

On motion of Senator Perry, House file No. 88, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, as amended by chapter 149 of the acts of the Twenty-first General Assembly and by chapter 82 of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil, was taken up and considered.

Senator Parrott offered the following amendment:

Amend section 2 by striking out of the second line the words "two thousand" and insert in lieu thereof the words "fifteen hundred."

Senator Groneweg moved that the Senate do now adjourn until 10 o'clock A. M., Monday.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Brower, Chantry, Cleveland, Conaway, Gatch, Groneweg, Hurst, Kelly, Kent, Mosnat, Perkins, Reynolds, Rich, Schmidt, Shields, Smith of Butler—18.

The nays were:

Senators Bailey, Bishop, Dent, Dodge, Engle, Finn, Funk, Gardiner, Gobble, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perry, Smith of Wapello, Smith of Wright, Stuart, Terry, Turner, Vale—27.

Absent or not voting:

Senators Everall, Green, Hager, Reiniger, Yeomans—5.

So the motion to adjourn was lost.

The question now being upon the adoption of the amendment offered by Senator Parrott.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Chantry, Conaway, Engle, Finn, Funk, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—20.

The nays were:

Senators Bailey, Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry—27.

Absent or not voting:

Senators Hager, Reiniger, Yeomans—3.

So the amendment was lost.

Senator Parrott offered the following amendment:

Amend section 3 by striking out of line six the words, "one hundred," and inserting "seventy-five" in lieu thereof.

The question now being upon the adoption of the amendment.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Funk, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—21.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry—26.

Absent or not voting:

Senators Hager, Reiniger, Yeomans—3.

So the amendment was lost.

Senator Kelly moved the previous question which was seconded and ordered.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Goble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—44.

The nays were:

Senator Conaway—1.

Absent or not voting:

Senators Hager, McCall, Perkins, Reiniger, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Cleveland moved that the Senate do now adjourn until Monday, March 14th, at 2 o'clock P. M.

Lost.

The Senate adjourned until Monday, March 14th, 1892, at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 14, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. George K. Hoover, of Davenport, Iowa.

PETITIONS AND MEMORIALS.

Senator Andrews presented petition of Lydia E. Rosenberg and one hundred and one others, citizens of Audubon County, Iowa, asking for cottages at the Soldiers' Home, Marshalltown.

Referred to Committee on Military.

Senator Harsh presented petition of citizens of Union county, asking the Twenty-fourth General Assembly to abolish the Superior Court of Creston, in said county.

Referred to Committee on Judiciary.

Senator Finn presented petition of citizens of Creston, Union county, asking for women equal political rights.

Referred to Committee on Constitutional Amendments.

Senator Finn presented petition of about forty citizens, asking the establishment of a reformatory prison for "fallen women."

Referred to Committee on Judiciary.

Senator Everall presented petition of citizens of Clayton county favoring passage of bill to protect fish.

Referred to Committee on Fish and Game.

Senator Everall presented petition of citizens of Guttenburg, Clayton county, favoring passage of a bill for the protection of fish.

Referred to Committee on Fish and Game.

Senator Hurst presented petition of Patrick Burke and other citizens of Jackson county, asking the enactment of the "Lard Bill" and "Option Bill" by the National Congress.

Referred to Committee on Federal Relations.

Senator Finn presented petition of the Lucy Hayes W. C. T. U., of Mt. Vernon, Iowa, asking the Twenty-fourth General Assembly to take such steps as are necessary to close the World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Finn presented petition of citizens of Rockford, Iowa, favoring closing of the World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Stuart presented petition of Young People's Society of Christian Endeavor, of Grinnell, Iowa, protesting against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of the Friends' church of Des Moines, protesting against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Palmer presented petition of Mrs. Mary Boies and one hundred and twenty-seven others, favoring closing the World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Mack presented memorial of Womens' Christian Temperance Union of Iowa, favoring passage of a bill to prohibit the sale of tobacco to minors.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Oleson, Senate file No. 362, a bill for an act to legalize the organization of the independent school district of Duncombe, Webster county, Iowa, and acts of the officers thereof.

Read first and second times and referred to Committee on Judiciary.

By Committee on Library, Senate file No. 363, a bill for an act making an appropriation for the State library.

Read first and second times and referred to Committee on Appropriations.

By Senator Gatch, Senate file No. 364, a bill for an act to make an appropriation for the purpose of completing the frescoing, wall painting and wood finishing of the Capitol building.

Read first and second times and referred to Committee on Appropriations.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 119, a bill for an act to prohibit the location of cemeteries within the limits of incorporated cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. B. MATTOON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 24, a bill for an act to more definitely designate the State board of examiners as created by chapter 104, laws of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 326, a bill for an act for the prevention of blindness, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 271, a bill for an act creating the office of State chemist, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Stewart, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 268, a bill for an act to repeal section 24, chapter 52 of the laws of the Twenty-second General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the title be amended to read as follows: "Section 24, chapter 52 of the laws of the Twenty-second General Assembly, is hereby repealed, and the following enacted in lieu thereof:" Amend section 1 by inserting after the word "examination," in the fourth line the words, "or who shall have been a mine inspector in this State." Insert the words "Sec. 2," before the word "this" in line 5, and that the bill as amended do pass.

JOEL STEWART, *Chairman*.

Ordered passed on file.

Senator Bolter offered the following resolution, and moved its adoption:

Be it resolved by the Senate, That from and after this date, March 14, 1892, all committee clerks be and are hereby discharged from any further duties at the expense of the State, except the clerks of the following committees, to-wit, Judiciary, Appropriations, Ways and Means, Banks, Railways, Insurance, Agriculture, Labor, Schools, Public Health, Mines and Mining, Senatorial and Representative Districts, Printing, Military, Engrossed and Enrolled Bills; and that the clerks so retained be subject to duty on committees whose clerks are hereby discharged, when not actually engaged on the part of their respective committees, to which they have been assigned.

Senator Finn moved that the resolution be referred to the Committee on Retrenchment and Reform, said committee to report to-morrow morning.

On this question the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Finn, Funk, Gatch, Gobble, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Terry, Turner, Vale, Yeomans—32.

The nays were:

Senators Bolter, Brower, Everall, Groneweg, Hurst, Rich, Stewart—7.

Absent or not voting:

Senators Dodge, Engle, Gardiner, Green, Hager, Kent, McCall, Mattoon, Perry, Smith of Butler, Smith of Wapello—11.

So the resolution was referred to Committee on Retrenchment and Reform.

Leave of absence was granted Senators Smith of Butler, and Smith of Wapello, until Tuesday. Also Senator Mattoon for the present.

Journals of March 10th and 11th were corrected and approved.

On motion of Senator Harmon, Senate file No. 156, a bill for an act authorizing the location of a highway across land belonging to the State of Iowa, with report of committee recommending amendments and as amended the bill do pass was taken up, considered and the report of the committee was adopted.

Senator Harmon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, Mattoon, Oleson, Palmer, Parrott, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—39.

The nays were—

None.

Absent or not voting:

Senators Andrews, Dodge, Gardiner, Hager, Hurst, Kent, McCall, Perkins, Perry, Smith of Butler, Smith of Wapello—11.

So the bill passed and the title was agreed to.

On motion of Senator Harmon the words "Buchanan county" were added to the title of Senate file No. 156.

Senator Reynolds called up his motion to reconsider the engrossment of Senate file No. 133, a bill for an act to amend the military Code and to increase the efficiency of the National Guard.

The motion to reconsider was adopted.

On motion of Senator Brower the bill was referred to the Committee on Appropriations, and retains its place on the calendar.

On motion of Senator Reiniger House file No. 47, a bill for an act to amend section 1752 of the Code of Iowa, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Reiniger moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, Oleson, Palmer, Parrott, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bailey, Dodge, Gardiner, Hager, Hurst, Kent, McCall, Mattoon, Mosnat, Perkins, Perry, Smith of Butler, Smith of Wapello, Yeomans—15.

So the bill passed and the title was agreed to.

On motion of Senator Harsh, Senate file No. 203 was referred to the Committee on Appropriations and retains its place on the calendar.

On motion of Senator Gobble, Senate file No. 241, a bill for an act to amend chapter 7 of the acts of the Twentieth General Assembly, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Cleveland, Conaway, Dent, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Stewart, Terry, Turner, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Chantry, Dodge, Finn, Gardiner, Hager, Kent, McCall, Mattoon, Perry, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Vale--16.

So the bill passed and the title was agreed to.

On motion of Senator Lewis, Senate file No. 276, a bill for an act amending chapter 43, laws of the Twenty-third General Assembly, relating to the arrest, trial and punishment of tramps, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lewis moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Everall, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Rich, Schmidt, Smith of Wright, Stewart, Terry, Turner, Vale--34.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Dodge, Engle, Finn, Gardiner, Hager, Kent, McCall, Mattoon, Perry, Reynolds, Shields, Smith of Butler, Smith of Wapello, Yeomans--16.

So the bill passed and the title was agreed to.

On motion of Senator Schmidt, House file No. 73, a bill for an act amending sections 11 and 12 of chapter 14 of laws of Twenty-third General Assembly, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Schmidt moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Engle, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott,

Perkins, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Dodge, Everall, Finn, Gardiner, Hager, Jamison, Kent, McCall, Mattoon, Perry, Shields, Smith of Butler, Smith of Wapello—15.

So the bill passed and the title was agreed to.

On motion of Senator Kelly, Senate file No. 69, a bill for an act to amend section 1, chapter 24, acts of the Twentieth General Assembly, with reference to railroad crossings, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Kelly moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Dodge, Gardiner, Hager, Kent, McCall, Mattoon, Perry, Shields, Smith of Butler, Smith of Wapello—12.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg, Senate file No. 169, a bill for an act to amend section 1, chapter 24 of the acts of the Twentieth General Assembly, relative to station houses at intersections, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Groneweg moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis,

Mack, Mosnat, Olesou, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Bailey, Dodge, Gardiner, Hager, Kent, McCall, Mattoon, Perry, Shields, Smith of Butler, Smith of Wapello—11.

So the bill passed and the title was agreed to.

Senator Vale took the chair.

On motion of Senator Dent, Senate file No. 262, a bill for an act to amend section twenty-six hundred and forty-eight of the Code of this State, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Dent read the following as a reply to the minority report on Senate file No. 262.

MR. PRESIDENT—In reply to the minority report to Senate file No. 262, I beg to submit the following:

In the first place, it ought to be regarded axiomatic, that no rule of practice should ever obtain which deprives a party of any substantial right.

The rule as at present does do this very thing, by compelling a party to elect between submitting to what he deems an erroneous decision on his demurrer, or waive the error altogether, rather than be compelled to waive his right to a trial on the merits.

The first objection is that the present rule has been in vogue for over forty years. That is no argument whatever. If it is, then the old common law rules, against which the report so justly inveighs, and which are hundreds of years old, ought to be at once re-adopted. Age never rights an error. It may give it some respectability, but it can never afford it any justification for its continuance.

It is claimed that it is a return to old technical forms of practice. This is a mistake. There is no technicality whatever involved in the saving to a party a substantial remedy for an erroneous decision upon a matter of substantial right. It merely says if an error of substance has been committed, an appeal need not at once be taken, but the right may be preserved until it becomes necessary to appeal in order to save it. The same rule as provided for in this bill obtains in at least two Code States, Wisconsin and California, two States whose standing in the matter of law is very high in the opinion of the bar generally.

It is urged that the present remedy of a motion in arrest of judgment, or objections made on the trial will save all substantial rights. If such were true, then the bill is unnecessary. But, unfortunately, such is not the fact. Let me investigate this matter a little by illustration, as it goes right to the merits of the bill.

A motion in arrest can be made only when the facts stated in the petition do not entitle the party to any relief whatever. This defect is not waived by either failing to demur, or by pleading over after overruling of the demurrer. But it has never yet been determined that this remedy is applicable to a plaintiff, as against an insufficient defense, or to equity cases; and I do not think a case can be cited

from our courts in which it has been held that it is so applicable. I do not see how it is possible to make it applicable in either case. If a defense is adjudged sufficient on a demurrer, and the plaintiff replies, or goes to trial, and does not stand on his demurrer, how can he, if the defense is found on trial to be sustained, move in arrest of judgment? Defendant is not asking judgment (in the absence of a counter-claim, I mean), but simply seeks to prevent plaintiff from obtaining one. How can he file a motion in arrest of judgment? On the other hand, the plaintiff is seeking judgment against the defendant, and the latter is in a proper position to ask an arrest, if the facts do not entitle plaintiff to any relief whatever.

So too, in equity practice. The court, after overruling a demurrer, goes on and tries the case, and enters his decree when he decides the case. I never heard of such a thing as a motion in arrest in equity cases. But it may be said that, inasmuch as the case is triable *de novo*, the rights are preserved without a motion in arrest. That matter remains to be settled by the courts. But grant the claim. It simply shows this; that the court must virtually go back to the demurrer; and in so doing, it justifies the very intent of this bill, because it does just what the bill says may be done. If, on the other hand, the court holds in such case that the error has been waived, then a wrong is done.

But it must not be overlooked that there are other substantial rights, than those to which the motion in arrest is applicable. For instance, to illustrate:

A defect of parties' plaintiff is ground for demurrer. If not taken advantage of in that way, it is waived. And not standing on a demurrer, and answering over, waives the ruling on the demurrer.

See *Westphal et al. v. Henney et al.*, 49 Iowa, 542.

Suppose one of two joint owners of a debt against me, or what is claimed to be a debt against me, sues for his claimed aliquot share. He asks for two-thirds of it. The petition shows that he is not the only party owing the claim. I demur on the ground of defect of parties. The demurrer is overruled. I am in just this dilemma; I must either stand on my demurrer, and appeal, and thus throw away the chance of defending on the merits, or in order to save this legal and just right, I must agree to take upon myself the peril of being able to show just exactly what the interest that the plaintiff has in the claim is. If, perchance, I am unable to do this, and plaintiff gets a judgment for two-thirds of the claim, and afterwards the other party sues for one-half, and under like circumstances, gets judgment for the half, it is clear that I have been compelled to pay one-sixth more than I ought to have paid. The second party is in no way bound by the former adjudication, not having been a party to the proceeding. Nowhere is an illustration of how a substantial right may be infringed upon by this rule as it now is. This is no imaginary case, but is one actually existing, in which, with a claim of \$10,000, it would hardly do for me to stand on the demurrer. No motion in arrest can help in such a case; for the holding is that the error is absolutely waived. I might cite other cases equally as vicious under the present practice.

But it is claimed that every substantial right may be guarded by objections on the trial, if the motion in arrest does not apply. Where the motion in arrest does apply, no objections are necessary, though proper. But that objections cannot guard other substantial rights, like that above instanced, is too plain to admit of doubt. The reason lies in the fact that under the present system, the ruling is held to be absolutely waived. It would be foolish to say that answering over after the ruling, overruling the demurrer for a defect in parties, plaintiff is a waiver of the error, and that it cannot afterwards be insisted upon, and then turn around and

say it may be insisted upon, by objection to the evidence. And right here let me ask, that if the objection to the evidence is to be regarded as saving the right, does not this give precisely the same chance for appeal and protracting litigation, as if the right of appeal were given directly on the ruling on the demurrer? If error is committed on the ruling on the demurrer, and an appeal may be taken after trial, why does this increase the litigation, if the same thing may be done on an erroneous objection to evidence, bearing on the same point? The point is right here with reference to saving rights by objections to evidence: that where the motion in arrest is available, objections are unnecessary; but where the motion is not available, because of the doctrine of waiver, then under the decisions, objections are equally futile, for once the matter is waived, it is gone forever. The position of the minority report is therefore untenable as to all cases where rights are involved that do not come under a motion in arrest.

An instance is put in the report of the injustice of the present bill. To this it may be replied that such a case is not involved in the bill at all, because the bill applies only to standing on demurrers, and not to standing on other pleadings. I agree at once with the report in its conclusions on the case put. But it does not meet the case designed to be covered by the bill. If the bill could have originally been construed as permitting one to amend and then stand on his demurrer too, nevertheless, the amendment to the bill, providing that it shall apply to overruling of demurrers fully obviates all such objections.

Lastly, it is claimed that the tendency of the bill is to increase litigation in the interest of lawyers. Let us see.

In the first place the report says that all substantial rights can be preserved after the ruling on the demurrer, by objections to evidence, etc. This thought, I presume, is taken from the language of Judge Woodward in *Williams vs. Soutter*, 7 Iowa, 438. I have shown its fallacy. But supposing it is conceded? Is it not at once apparent, if such be the case, that this bill cannot increase litigation? If the same errors can be assigned after a trial as this bill permits under the demurrer, and the case reversed on a ruling on objections to evidence, how does the fact that a reversal may be allowed on account of error in ruling on the demurrer increase or tend to increase the litigation? In each case the ruling comes only after a trial on the merits, and whether the reversal is based on an erroneous ruling on the demurrer, or a like ruling on evidence offered raising the same question, the volume of litigation is unaffected. The very reasoning which the report resorts to, to show the bill is unnecessary, absolutely refutes the claim concerning increased litigation.

Again, the Code now gives a right of appeal from the ruling on a demurrer. That is the one right of appeal. To give the right to have the ruling reviewed after trial does not give any greater right of appeal nor make them more numerous, but in fact will lessen them, as I will shortly demonstrate. The law as it now is simply holds a club over a man by saying, "You may appeal, but if you do you can't come back and try the merits, however much they may be in your favor." And it holds a club over him, driving him to appeal, by saying, "If you do not appeal, you waive your rights by going to trial on the merits." Clubs of this kind in the form of justice are not symbolical of the most perfect system of remedial justice.

Let us take an instance.

A petition is filed, and a defense set up claiming that the claim is barred by the statute of limitations, the matter not appearing on the face of the petition. To this claim the plaintiff demurs. This demurrer is overruled. Plaintiff feels he

is right, and that the claim is not barred. In order not to waive this right and lose his claim, possibly, he must appeal. He does so and the case is reversed, and goes back for trial. A trial is then had, on other issues in the case, and the plaintiff wins the case. Now, had he been permitted to try the case on its merits, and at the same time, save his exception to the ruling on the demurrer, he might have not only successfully contested the facts on the other defenses, but he might have defeated the facts claimed to constitute the bar, and thus have rendered an appeal unnecessary at all. The fact is, this is liable to happen in very many instances, and appeals on demurrers thus be limited to those cases where there is no chance whatever, except on the question of law.

The bill as amended is absolutely unobjectionable to any one who will closely investigate the subject. Respectfully submitted,

WM. H. DENT,

Senator Dent moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Jamison, Kelly, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Reiniger, Reynolds, Shields, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—33.

The nays were:

Senator Schmidt—1.

Absent or not voting:

Senators Andrews, Bailey, Conaway, Engle, Gardiner, Hager, Hurst, Jewett, Kent, McCall, Parrott, Perkins, Perry, Rich, Smith of Butler, Smith of Wapello—16.

So the the bill passed and the title was agreed to.

On motion of Senator Green, Senate file No. 265, a bill for an act to prevent accidents to railway freight trains, and for the better protection of railway employes, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Green moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

By consent the word "more" was substituted for the word "less," in line 3 of section 2.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green,

Groneweg, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Reynolds, Rich, Shields, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Bailey, Finn, Gardiner, Hager, Harmon, Kent, McCall, Mattoon, Perkins, Perry, Reiniger, Schmidt, Smith of Butler, Smith of Wapello—14.

So the bill passed and the title was agreed to.

Senator Green moved to substitute the word "freight" for the word "employes" in the title of the bill.

Carried.

President Bestow took the chair

On motion of Senator Brower House file No. 402, a bill for an act to enable the counties lying contiguous to each other to organize into a city or incorporated town, and defining the jurisdiction of the mayor thereof, with report of committee recommending that the bill do pass was taken up, and considered, and the report of committee was adopted.

Senator Brower moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mattoon, Oleson, Palmer, Parrott, Perkins, Reynolds, Schmidt, Shields, Smith of Wright, Stewart, Turner, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Bailey, Engle, Gardiner, Hager, Kent, McCall, Mosnat, Perry, Reiniger, Rich, Smith of Butler, Smith of Wapello, Terry—13.

So the bill passed and the title was agreed to.

Senator Dodge moved that the hour of adjournment be extended until Senate file No. 333 be considered and disposed of.

Lost.

The Senate adjourned to meet at 7.30 o'clock P. M.,

EVENING SESSION.

The Senate met pursuant to adjournment at 7:30 o'clock P. M., President Bestow presiding.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 345, a bill for an act to pave streets and alleys, and the curbing of streets in incorporated towns, and providing for the costs thereof, beg leave to report that they have had the same under consideration, and referred same to a special committee of three, namely, Senators Mosnat, Parrott and Mack, which committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

PETITIONS AND MEMORIALS.

Senator Bishop presented petition of about forty citizens favoring erection of cottages at Soldiers' Home, Marshalltown.

Referred to Committee on Military.

On motion of Senator Schmidt, House file No. 59, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charters, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Schmidt moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Everall, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale—32.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Dent, Dodge, Engle, Finn, Gardiner, Gatch, Kent, Lewis, Mack, Mattoon, Perry, Reiniger, Reynolds, Shields, Smith of Wapello, Yeomans—18.

So the bill passed and the title was agreed to.

Senate file No. 257, a bill for an act to make further provisions for the care of insane persons, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 28, a bill for an act to give to the district court of the State of Iowa original jurisdiction with justices of the peace in actions of forcible entry and detainer, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Chantry, Senate file No. 261, a bill for an act to amend section 1, chapter 80, of the acts of the Twenty-third General Assembly of Iowa, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Chantry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Chantry, Cleveland, Conaway, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Brower, Dent, Dodge, Engle, Finn, Gardiner, Jamison, Kent, Mattoon, Reiniger, Shields, Smith of Wapello, Yeomans—15.

So the bill passed and the title was agreed to.

On motion of Senator Stewart, Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors, providing their duties, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Stewart moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bailey, Finn, Gardiner, Jamison, Kent, Mattoon, Smith of Wapello—8.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, Senate file No. 194, a bill for an act to establish a board of park commissioners in cities of the first class, defining their powers and prescribing their duties, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Yeomans moved to amend by striking out "50,000," and insert in lieu thereof "35,000," which amendment was accepted.

The report of the committee was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jewett, Kelly, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Andrews, Dodge, Finn, Gardiner, Hurst, Jamison, Kent, Lewis, Mattoon, Smith of Wapello—10.

So the bill passed and the title was agreed to.

House file No. 23, a bill for an act to amend chapter 15 of the acts of the Twenty-third General Assembly, in relation to special taxes

for the improvement of streets in cities existing under special charters, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conway, Dent, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—39.

The nays were :

None.

Absent or not voting :

Senators Andrews, Brower, Dodge, Finn, Gardiner, Jamison, Kent, Lewis, Mattoon, Mosnat, Smith of Wapello—11.

So the bill passed and the title was agreed to.

Senate joint resolution No. 3, a joint resolution and memorial to the Congress of the United States, in reference to the special tax for retail liquor dealers, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Oleson, Senate file No. 200, a bill for an act to amend section 1 of chapter 63 of the acts of the Twenty-first General Assembly, relative to maintenance of fish dams across the outlets of meandered lakes, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Oleson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Andrews, Dodge, Gardiner, Jamison, Jewett, Kent, Mattoon, Mack, Mosnat, Smith of Wapello—10.

So the bill passed and the title was agreed to.

On motion of Senator Groneweg Senate file No. 170, a bill for an act to amend section 1, chapter 139, of the acts of the Twentieth General Assembly, in relation to union depots, with report of committee recommending amendments and that as amended the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Groneweg moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Dent, Engle, Everall, Finn, Funk, Gobble. Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Olson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Andrews, Cleveland, Dodge, Gardiner, Gatch, Jamison, Kent, Mattoon, Mosnat, Smith of Wapello—10.

So the bill passed and the title was agreed to.

Senate file No. 48, a bill for an act to fix and define the liability of insurance companies, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 279, a bill for an act conferring upon cities the right to establish free employment offices, with report of committee recommending it be indefinitely postponed, was passed for the day and retains its place upon the calendar.

Senator Lewis offered the following resolution, which was adopted:

I move that the Senate do not take up any more local or general bills this evening until it shall have first gone through the calendar in regular order, and have disposed of all legalizing acts and bills reported for indefinite postponement.

Senator Kelly moved that Senate file No. 48 be stricken from the calendar.

Carried.

Senate file No. 149, a bill for an act creating a board of school book commissioners and to provide for furnishing text books for the use of the common schools of the State, with report of committee recommending indefinite postponement, was taken up and considered.

On the question, "Shall the report of the committee be concurred in?"

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Cleveland, Dent, Everall, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Lewis, Mack, Oleson, Palmer, Perkins, Perry, Schmidt, Smith of Butler, Shields, Stewart, Vale—24.

The nays were:

Senators Chantry, Conaway, Engle, Finn, Hager, Harmon, Hurst, Jewett, McCall, Reiniger, Reynolds, Terry, Turner—13.

Absent or not voting:

Senators Andrews, Brower, Dodge, Funk, Gardiner, Jamison, Kent, Mattoon, Mosnat, Parrott, Rich, Smith of Wapello, Smith of Wright, Yeomans—14.

So the report of the committee was concurred in.

Senate file No. 217, a bill for an act to legalize certain ordinances of cities and towns, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 274, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, and acts amendatory thereto, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 207, a bill for an act to amend sections 1948, 1950, 1951, 1952, 1953, 1954, 3792 and 3779 of the Code of 1873, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 272, a bill for an act to amend section 1 of chapter 194, acts of the Twentieth General Assembly, relating to the collection of delinquent taxes, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 176, a bill for an act conferring the right upon a wife to institute civil proceedings against her husband without furnishing bond, and also to provide for her attorney fees, with report of

committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 217, a bill for an act to legalize certain ordinances of cities and towns, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Bishop, House file No. 258, a bill for an act to legalize the incorporated ordinances and the acts of the town officers of Hospers, in the county of Sioux and State of Iowa, with report of committee recommending that the bill do pass, was taken, up, considered, and the report of the committee was adopted.

Senator Bishop moved that the rule be suspended, and the bill be read third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Engle, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Kelly, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Dodge, Everall, Finn, Gardiner, Hurst, Jamison, Jewett, Kent, Mattoon, Mosnat, Rich, Smith of Wapello—14.

So the bill passed and the title was agreed to.

On motion of Senator Dent, Senate file No. 277, a bill for an act to amend section 1, chapter 158 of the laws of the Twenty-first General Assembly, relative to salary of messenger in the State library, with report of committee recommending that as amended the bill do pass, was taken up, considered.

On motion of Senator Dent the calendar was corrected to show that the report of the committee on Senate file No. 277, is "that the bill do pass," instead of indefinite postponement.

Senator Yeomans moved that the Senate do now adjourn.

Lost.

Senator Mack offered the following resolution and moved its adoption:

Resolved, That Senate files Nos. 303, 280, 14, 22, 141, 140, 195, 278, 343, 249, 163, 250, 49, 259, 60, 319, 247, 252, 243, 244, 248, 211, 80, 117, 78, 296, 62, 99, 7, 42, Senate joint resolution Nos. 2 and 4, and claim of Le Grand Byington, which have all been recommended, by the committees to which they have been referred for indefinite postponement, be and the same are hereby indefinitely postponed.

Senator Bolter moved that the resolution be laid on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Engle, Everall, Green, Hurst, McCall, Mosnat, Oleson, Perkins, Perry, Schmidt, Smith of Butler, Stewart, Yeomans—17.

The nays were:

Senators Bailey, Chantry, Conaway, Finn, Funk, Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Jewett, Kelly, Lewis, Mack, Palmer, Reiniger, Reynolds, Shields, Smith of Wright, Turner, Vale—22.

Absent or not voting:

Senators Andrews, Brower, Dodge, Gardiner, Jamison, Kent, Mattoon, Parrott, Rich, Smith of Wapello, Terry—11.

So the motion to lay on the table was lost.

Senator Stewart moved that the Senate do now adjourn.

Lost.

The question now being on the adoption of the resolution offered by Senator Mack.

The resolution was adopted.

On motion of Senator Perry, Senate file No. 40, a bill for an act to legalize certain acts of the county board of supervisors of the State of Iowa in the submission to the people of the proposition to borrow money and issue bonds for the purchase of court house sites, and the erection of a county court house, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted and the substitute bill read a first and second times.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry, Vale—33.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Dodge, Engle, Gardiner, Jamison, Kent, Lewis, McCall, Mattoon, Rich, Smith of Wapello, Smith of Wright, Turner, Yeomans—17.

So the bill passed and the title was agreed to.

On motion of Senator Green, House concurrent resolution, relative to the pardon of William Riddle, with report of committee recommending that the resolution be adopted, was taken up, considered and the report of the committee was adopted.

On motion of Senator Schmidt the Senate adjourned until 9 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 15, 1892.)

Senate met in regular session at 9 o'clock, A. M., President Bestow presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

Senator Smith, of Butler, asked unanimous consent to have substitute for Senate file No. 208, printed and the bill recommitted to the Committee on Appropriations.

The bill was re-committed as requested.

PETITIONS AND MEMORIALS.

Senator Perry presented petition of Orman Relief Corps 209, of Albia, Iowa, favoring the erection of cottages at Soldiers' Home, Marshalltown, Iowa.

Referred to Committee on Military.

Senator Conaway presented petition of 400 citizens of Mahaska county; 225 legal voters and 155 ladies, asking for equal rights for women.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Reynolds, Senate file No. 365, a bill for an act to enable the county auditor to correct the town plat of the town of Pulaski, Davis county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Stewart, Senate file No. 366, a bill for an act to establish a school of mines for the State of Iowa.

Read first and second times and referred to Committee on Mines and Mining.

By Senator Brower, Senate file No. 367, a bill for an act to prevent the establishment of and maintenance of places for the smoking of opium and to punish violations thereof.

Read first and second times and referred to Committee on Public Health.

By Senator Shields, Senate file No. 368, a bill for an act to amend chapter 9, Title XII of the Code of 1873, providing for calling, in certain cases, meetings of independent districts.

Read first and second times and referred to Committee on Schools.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked:

House file No. 83, a bill for an act to change the name of the Iowa Institution for the Education of the Deaf and Dumb to the Iowa School for the Deaf.

House file No. 15, a bill for an act to amend section No. 22, of chapter No. 28 of the Acts of the Twenty-second General Assembly, relating to reports to be made to the Board of Railroad Commissioners.

House file No. 169, a bill for an act to amend chapter 31 of Laws of the Twenty-second General Assembly, relating to change of name of railroad stations.

House file No. 95, a bill for an act to protect persons and property from damage from steam engines on public highways.

House file No. 159, a bill for an act to amend chapter 167, Laws of Iowa.

House file No. 207, a bill for an act to amend sections 925 and 963 of the Code of 1873.

House file No. 216, a bill for an act to prohibit railroad companies from obstructing street crossings and public highways.

CHAS. BEVERLY, *Chief Clerk.*

PER D. H. SCOTT, *First Assistant.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills in which the concurrence of the House was asked:

Senate file No. 106, a bill for an act making an appropriation for the use and benefit of the Iowa State Dairy Association.

Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the Academy of Science.

CHAS. BEVERLY, *Chief Clerk.*

PER D. H. SCOTT, *First Assistant.*

HOUSE BILLS.

House file No. 159, a bill for an act to amend chapter 167, laws of 1882.

Read first and second times and referred to Committee on Schools.

House file No. 95, a bill for an act to protect persons and property from damages from steam engines on public highways.

Read first and second times and referred to Committee on Highways.

House file No. 207, a bill for an act to amend section 925 and 963. of the Code of 1873.

Read first and second times and referred to Committee on Judiciary,

House file No. 216, a bill for an act to prohibit railroad companies from obstructing of street crossings and public highways.

Read first and second times and referred to Committee on Railways.

House file No. 15, a bill for an act to amend section 22 of chapter 28 of the acts of the Twenty-second General Assembly, relating to reports to be made to the board of railroad commissioners.

Read first and second times and referred to Committee on Railways.
House file No. 169, a bill for an act to amend chapter 31 of the laws of the Twenty-second General Assembly, in relation to change of names of railway stations.

Read first and second times and referred to Committee on Railways.
House file No. 83, a bill for an act to change the name of the Iowa institution for the Education of the Deaf and Dumb, to the Iowa School for the Deaf.

Read first and second times and referred to Committee on Charitable Institutions.

REPORTS OF STANDING COMMITTEES.

Senator Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 18, for an act to provide for the establishment of a board of supervisors of State institutions and officers, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Mosnat, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 12, being a resolution proposing an amendment to the constitution to submit acts of the General Assembly for approval to the electors of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Constitutional Amendments to whom was referred House joint resolution, proposing to amend the constitution so as to prohibit the manufacture and sale of intoxicating liquor as a beverage within this State, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 161, a bill for an act making appropriations for the annual payment of water rates of the Soldiers' Orphans' Home and Home of Indigent Children at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate

with the recommendation that the word "six," in second line of section 1—printed bill—be stricken out, and the word "five" be inserted in lieu thereof, and with this amendment recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*,

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 337, a bill for an act to provide compensation for Samuel N. Parsons, secretary of the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 203, a bill for an act to provide for building cottages for soldiers' wives at Soldiers' Home, Marshalltown, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill as amended by the Military Committee do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 304, a bill for an act to amend chapter 62, of the acts of the Twenty-second General Assembly, in relation to change of boundry lines of independent school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 209, a bill for an act to legalize the electric light plant of the City of Knoxville, Iowa, and the ordinances authorizing its establishment, and the contract for lighting the streets of said city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 225, a bill for an act to punish the crime of sodomy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. SPEAKER—Your Committee on Judiciary, to whom was referred House file No. 147, a bill for an act to allow any city or town now having a superior court to abolish the same in the manner prescribed by this act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 230, a bill for an act to amend section 277 of the Code, relating to the powers of notaries public, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with recommendation that the bill be amended as follows: In third line of section 1, after the word "file," insert the words "in the clerk's office of said adjoining county." And when so amended recommended that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 30, a bill for an act to prevent and punish prize fighting, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Gatch called up Senate file No. 18, a bill for an act to establish a board of supervisors of state institution and officers.

The bill having been engrossed was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Reiniger, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—24.

The nays were:

Senators Andrews, Bailey, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith or Wright, Turner, Vale—21.

Absent or not voting:

Senators Chantry, Engle, Groneweg, Hurst, Schmidt—5.

So the bill, having failed to receive a constitutional majority, was declared to have been lost.

Senator Jamison explained his vote as follows:

MR. PRESIDENT—I desire to say in explanation of my vote on this bill that it is inconsistent with the will of the people in as much as it provides for the appointment

of the board of control which the general opinion of our people is that all such places of trust should be elective, the person who has the appointing powers of this board has in his hands the political control of the state. Our institutions are in as good condition as those of any other state under the present control and it seems to me the wrong time to change. This provides a few more places for politicians to get office without election with no intention of doing the State institutions any good. I therefore vote no.

JAMES H. JAMISON, *Senator 11th District.*

Senator Hager filed the following explanation of his vote:

In explanation of my vote I desire to say, Mr. President, that the signs of the times seem to be strongly in the direction of bringing every man asking for a position of honor or trust *directly* before the jury of the people, and to allow them to pass upon the merits of his candidacy; in other words, the people seem to be anxious and determined to verify the words of the immortal Lincoln, that "this is a government of the people, for the people, and by the people." This General Assembly has but recently, and by an almost unanimous vote, requested our Senators and Representatives in Congress to vote to submit an amendment to the constitution, providing for the election of United States Senators by a direct vote of the people, I vote "no."

A. L. HAGER,
Senator Sixteenth District.

Senator Finn filed the following explanation of his vote:

MR. PRESIDENT—I vote against the passage of this bill because I know of no useful public purpose it will subserve. The tendency to create offices and increase salaries seems to be becoming morbid, relentless and increasing. The institutions of this state seem to be as well and economically managed as those of any state in this union. In fact, they have, under the present system, become the pride of and compliment to the state and no reason is given for the change. No hope is held out for any more efficient or capable men under the proposed system than now manage these institutions, while the control of millions of dollars by a few men furnish temptations to abuses which do not now exist.

The varied character of our institutions, educational, charitable, reformatory, etc., make it difficult for any one set of men to familiarize themselves with the highest and most advanced system of management for each, and hence they will not be capable of properly judging their necessities and requirements severally, even in the disbursing or recommending the disbursement of the state funds, much less their general management. The most the bill can do is to displace a good and tried system for an experiment, and furnish places for office seeking men, whose most potent claim may be the character and extent of partisan service, and may be to compensate the personal misfortune of having been defeated by the popular vote as a candidate for some elective place.

Under the present law these officers are elected by the representatives of the people, under this bill they are to be appointed by the governor, and the policy of the State is toward the elective not the appointive system; and experience has demonstrated the wisdom of such policy. If there be any value in the non-partisan feature of the board inaugurated by this bill, certainly some precaution or safeguard should be provided to prevent the members of the board from changing their politics or deserting their respective parties after their election has been secured, and providing some way of removing them in case of a backslide in party faith,

and some method of frequent examination; and to ascertain from time to time, how they should be tested by approved partisan standards. Appointments made under this bill by a partizan governor may be expected to be of two members of his own party, and then two members of an opposing party who have been most untrue to their own party who, classing themselves by a party name, and by their votes and influence the party to which the governor may belong, in other words unfaithfulness and treachery may be encouraged and rewarded in this appointing power.

G. L. FINN,
Senator Sixth District.

Senator Gatch moved to reconsider the vote by which the bill was declared to have been lost.

Senator Finn moved to lay the motion to reconsider on the table.

The yeas and nays were demanded.

The question being, "Shall the motion to reconsider be laid on the table?"

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—21.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

Absent or not voting:

Senator Engle—1.

So the motion to lay on the table was lost.

The question now being, "Shall the vote by which the bill was declared to have been lost be reconsidered?"

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—28.

The nays were:

Senators Andrews, Chantry, Conaway, Finn, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Reynolds, Smith of Wright, Turner, Vale—18.

Absent or not voting:

Senators Bailey, Engle, Funk, Perkins—4.

So the motion to reconsider was adopted.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Reiniger, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Funk, Groneveg, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner, Vale—22

Absent or not voting:

Senators Engle, Schmidt—2.

So the bill passed and the title was agreed to.

Senator Perkins filed the following explanation of his vote:

For the same reason that I voted against the engrossment of the bill, viz: that in the preparation of the bill discussion was cut off, I vote "No."

GEO. W. PERKINS,

Senator Seventh District.

Senator Reiniger filed the following explanation of his vote:

"There are features in this bill, which do not merit my approval, and which in my judgment should have been modified before amendments and debate were cut off by the vote for the previous question, but as all legislation at this session of the General Assembly, on this subject, depends on the passage of this bill, and as any defects in the bill can be corrected before it becomes a law, and as in my judgment, legislation on the line of this bill is imperatively demanded, I vote aye."

ROBT. G. REINIGER, *Senator Forty-fourth District.*

On Motion of Senator Kelly the special order was taken up, it being Senate file No. 260, a bill for an act to further provide for a State soldiers' and sailors' monument, with report of committee recommending that the bill do pass.

Senator Brower moved the adoption of the report of the committee.

President *pro tem* Kelly took the chair.

Senator Reiniger moved that the Senate consider Senate file No. 203 and that further consideration of Senate file No. 260 be deferred.

The chair ruled that a motion to postpone was in order, but a motion to take up another bill in connection with a motion to postpone, was not in order.

Pending discussion, the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M., President Bestow presiding.

Consideration of Senate file No. 260 was resumed.

Senator Parrott offered the following amendment:

Amend section 1 by adding after the word "commissioners," in the eighth line, "provided that the entire cost of completing the monument in all its details shall not exceed the sum of one hundred and fifty thousand dollars."

Senator Lewis offered the following as a substitute for the amendment:

Amend section 1 by striking out all after the word "monument," in line 7, and adding in lieu thereof, "*provided*, that no plan or plans shall be adopted which shall contemplate the expenditure of more than one hundred and fifty thousand dollars (\$150,000) for the site, monument, and all expenditures in connection therewith."

The question now being upon the adoption of the substitute offered by Senator Lewis for the amendment offered by Senator Parrott.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bolter, Cleveland, Engle, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—34.

The nays were:

Senators Brower, Chantry, Conaway, Dodge, Gatch, Jamison, Palmer, Parrott, Perkins, Reiniger, Smith of Wapello—11.

Absent or not voting:

Senators Bishop, Dent, McCall, Rich, Shields—5.

So the substitute was adopted.

The question now being upon the adoption of the amendment as substituted.

The substituted amendment was adopted.

Senator Reiniger offered the following amendment:

Amend section 2 by adding after the word "Iowa" in the third line of the printed bill the words, "known as the old capitol grounds," and by striking out

all in remainder of line 3 and all of line 4 up to and including "site," near the end of the line.

Also strike out all of section 2, after the word "monument," in the fifth line.

Senator Finn moved to postpone consideration on section 2 of the bill now under consideration until 10 A. M. to-morrow.

Lost.

The question now being upon the adoption of the amendments offered by Senator Reiniger.

President *pro tem* Kelly took the chair.

Senator Bailey called for a division of the amendment.

The yeas and nays were demanded on the first section of the amendment.

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conway, Dent, Engle, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—43.

The nays were:

Senators Andrews, Dodge, Mack—3.

Absent or not voting:

Senators Gatch, Mosnat, Shields, Yeomans—4.

So the first section of the amendment was adopted.

Senator Bailey offered the following as a substitute for the second section of the amendment offered by Senator Reiniger:

Strike out "or" in second line after the word "Iowa" in printed bill, and the word "grounds" as just inserted by amendment, and insert the word "and."

Also, strike out all after the word "condemnation" in fourth line up to and including the words "there be" at beginning of line 6, and insert "such additional ground on the east side of said old capitol ground" as may be necessary to make the frontage equal to the depth of said site.

Adopted.

Senator Lewis offered the following amendment, which was adopted:

Amend line 8, section 4, by striking out the word "ten" and inserting in lieu thereof the word "fifteen."

Senator Reiniger offered the following amendment:

Add as section 10: "No contract shall be made, nor any plan or design for any monument adopted, nor work done, under the provisions of this act, which contemplates an expenditure exceeding \$150,000 for the erection and full completion of the monument."

Senator Finn offered the following amendment to the amendment :

Add to section 10: "The name of no person connected in any way with the construction of such monument shall be engraved or placed in any way thereon."

The original motion as amended was adopted.

Senator Parrott moved to amend by striking out the word "shall" after the word "commissioners," in line 1 of section 6, and insert the words "may when necessary."

Adopted.

Senator Brown moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

Senator Harsh moved that Senate file No. 203 be made a special order for 10:30 o'clock A. M. to-morrow.

Senator Lewis moved to amend that "203" be stricken out and "93" substituted therefor.

Senator Parrott moved that the motion and amendment be laid on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Engle, Everall, Finn, Funk, Green, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Schmidt, Smith of Wright, Stuart, Terry, Vale—31.

The nays were:

Senators Brower, Cleveland, Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Groneweg, Harsh, Kent, Mattoon, Perkins, Smith of Butler, Smith of Wapello, Turner—16.

Absent or not voting:

Senators Reiniger, Shields, Yeomans—3.

So the motion and amendment were laid on the table.

REPORTS OF STANDING COMMITTEES.

Senator Dodge, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 341, a bill for an act to amend section 9, chapter 65, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out the words "or State" in line eighteen section 1; strike out the words "or of this" in line eighteen, and the word "State" in line nineteen, all in section 1, and that as so amended the bill do pass.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 325, a bill for an act to amend and make more definite section 807 of the Code relating to assessment of taxes and to prescribe penalties for violations of its provisions beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed. W. W. DODGE, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 352, a bill for an act to amend chapter 111 of the acts of the Seventeenth General Assembly, relating to assets of insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out the words, "any personal property," in line 7, section 1, and insert in lieu thereof, "any live stock or vehicle," and that as so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 131, a bill for an act to repeal section 3 of chapter 211 of the acts of the Eighteenth General Assembly, relating to insurance, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that as the subject matter of this bill is embraced in Senate file No. 234, by the same author, which has been reported with the recommendation that it do pass, this bill, to-wit: Senate file No. 131, be indefinitely postponed.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 234, a bill for an act to repeal section 3 of chapter 211 of the acts of the Eighteenth General Assembly, relative to insurance, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Strike out the words "or personal property" in line 2, "or personal property" in line 12, section 1; also, "or personal property," line 1, section 2; strike out all of section 3, and change the number of section 4 to that of section 3, and that as so amended the bill do pass.

W. W. DODGE, *Chairman*.

Ordered passed on file.

Senator Schmidt, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 4, a bill for an act concerning the inspection of intoxicating liquors, beg leave to report that they have had the same under considera-

tion, and have instructed me to report back to the Senate a substitute therefor without recommendation.

WM. O. SCHMIDT, *Chairman*.

Ordered passed on file.

Senator William Hamilton Dent, from the Committee on Compensation of Public Officers, submitted the following report :

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 320, a bill for an act to amend chapter 167, laws of 1882, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 347, a bill for an act to regulate the compensation of county surveyors, and require all surveys to be recorded, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Senator Kent, from the Committee on Banks and Banking, submitted the following report :

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred House file No. 236, substitute for House file No. 48, a bill for an act to provide for a more satisfactory publication of bank examinations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. G. KENT, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Terry, Senate file No. 369, a bill for an act repealing that part of section 1, chapter 16 of the laws of the Twenty-second General Assembly and section 1, chapter 27 of the laws of the Twenty-third General Assembly relating to the bridge fund and enacting in lieu thereof a law giving the boards of supervisors of the several counties of the state full control of the levying and expending the bridge fund.

Read first and second times and referred to Committee on Highways.

On motion of Senator Finn the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 16, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. F. McConnell, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of A. A. Stafford and twenty-nine engineers of Waterloo, Iowa, asking the passage of a bill to license engineers and for the inspection of boilers.

Referred to Committee on Manufactures.

Senator Oleson presented petition of H. P. Rasmussen and others protesting against legalizing the acts of the independent school district of Callender, Iowa.

Referred to Committee on Judiciary.

Senator Oleson presented petition of F. Peterson and other citizens of Callender school district asking for the legalizing of the independent school district of Callender.

Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 329, a bill for an act legalizing the incorporation of the town of Springville, Linn county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 253, a bill for an act to require notice of reports of guardians and administrators, to be given to parties interested, before the approval thereof is binding, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 97, a bill for an act to repeal sections 2017 and 2018 of the Code and to enact substitutes therefor, relating to landlords' liens and the enforcement thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Shields, Senate file No. 371, a bill for an act to reorganize the congressional districts of the state.

Read first and second times and referred to Committee on Judicial and Congressional Districts.

REPORTS OF COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 342, a bill for an act to prevent damage to State property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 334, a bill for an act to authorize the Supreme court of the State in certain cases to employ an accountant and to provide for his compensation, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 332, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing busienss to issue certificates and warehouse receipts on their own products while in their custody and control, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding at the end of section 5 the following: " And any corporation or person violating any provisions of this section shall be guilty of a felony, and for each offense be fined not to exceed ten thousand dollars, and imprisonment in the penitentiary not exceeding five years." And when so amended, recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 321, a bill for an act to repeal chapter 53, acts of the Eighteenth General Assembly, and enact a substitute therefor, relating to town plats, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 306, a bill for an act authorizing judgment creditors to waive special execution in certain cases, with power to order general execution, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out sections 2 and 3, and when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 299, a bill for an act to amend sections 2623 and 2624, of the Code, relative to notice to unknown defendants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Smith, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 219, a bill for an act to tax mineral rights owned by persons or corporations who do not own the surface, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

R. S. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 273, a bill for an act to amend section 907 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

R. S. SMITH, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No 350, a bill for an act to legalize amendments and renewals of corpora-

tions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 315, a bill to repeal sections 3513 and 3514, of the Code, relating to the jurisdiction of justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that Senate file No. 323, covering the subject matter of this bill, has been passed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 260, a bill for an act to further provide for the erection of a State soldiers' and sailors' monument, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 323, a bill for an act to protect the makers of notes, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Kelly offered the following resolution and moved its adoption:

Resolved, That when this Senate adjourns, that it do adjourn until 2 o'clock this afternoon.

Senator Perry moved that the resolution be laid on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Cleveland, Dent, Dodge, Gatch, Gobble, Green, Hager, Hurst, McCall, Mattoon, Oleson, Perry, Rich, Schmidt, Terry, Yeomans—18.

The nays were:

Senators Bailey, Bishop, Brower, Chantry, Conaway, Engle, Everall, Finn, Funk, Gardiner, Groneweg, Harsh, Jamison, Jewett, Kelly, Lewis, Mosnat, Palmer, Perkins, Reiniger, Reynolds, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale—28.

Absent or not voting:

Senators Harmon, Kent, Mack, Parrott—4.

So the motion to lay upon the table was lost.

Senator Yeomans moved to amend the resolution so as to read "that when this Senate adjourns it do adjourn to meet at 9 o'clock A. M., Friday."

On the question, "Shall the amendnent offered by Senator Yeomans be adopted?"

The yeas and nays were demanded:

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, McCall, Mattoon, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—30.

The nays were:

Senators Bishop, Dent, Engle, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mosnat, Oleson, Perkins, Smith of Butler, Smith of Wapello—16.

Absent or not voting:

Senators Dodge, Mack, Palmer, Parrott—4.

So the amendment was adopted.

The question now being, "Shall the resolution as amended be adopted?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Finn, Funk, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, McCall, Mattoon, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—34.

The nays were:

Senators Bishop, Everall, Kelly, Mosnat, Oleson, Perkins, Smith of Butler, Smith of Wapello—8.

Absent or not voting:

Senators Brower, Gardiner, Green, Groneweg, Kent, Mack, Palmer, Parrott—8.

So the resolution as amended was adopted.

The journals of March 12th, 14th and 15th were corrected and approved.

Senator Smith of Wapello, moved that Senate file No. 224 be taken up and considered,

Lost.

On motion of Senator Perkins Senate file No. 185, a bill for an act to protect the public from fraudulent pedigrees of live stock, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perkins moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Gardiner, Gatch, Jewett, Mosnat, Rich, Schmidt—8.

So the bill passed and the title was agreed to.

File No. 70, a bill for an act to amend section 2546 of chapter 8, Code of Iowa (McClain's) to define the standing of medical colleges, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Conaway moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

BILLS ON THIRD READING.

Senator Brower called up Senate file No. 260, a bill for an act to further provide for a State Soldier's and Sailor's Monument.

The bill having been engrossed was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—45.

The nays were:

Senator Groneweg—1.

Absent or not voting:

Senators Everall, Mattoon, Mosnat, Shields—4.

So the bill passed and the title was agreed to.

Senator Groneweg explained his vote as follows:

MR. PRESIDENT—I am in favor of the erection of a monument to commemorate the deeds of our dead soldiers, and am also in favor of the general features of this bill, but as the bill appropriates money which is conveyed to the State as a trust fund, and which in my opinion, can not be used for this purpose at this time, I vote no.

WM. GRONEWEG, *Nineteenth District.*

Senator Gobble explained his vote as follows:

MR. PRESIDENT—As the bill was originally introduced I was opposed to it and would not have voted for it had it not been amended; but as the location has taken the matter out of the reach of the land sharks and limited the cost, it is in a much better condition. I believe I would represent a majority of the old soldiers of my district were I to vote against the location of this monument in a city that has failed to erect a county soldiers' monument, but as the citizens I represent are enterprising and patriotic, they have, through certain representatives, given me the privilege to vote "aye," as a vote otherwise might be misconstrued against me and the old soldiers and citizens I represent.

J. M. GOBBLE,
Senator Twentieth District.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 93, a bill for an act making an appropriation for an exhibit of the resources of the State of Iowa, in the World's Columbian Exposition of 1893, to be held in the city of Chicago, beg leave to report that they have had the same under consideration and have prepared a substitute for the bill, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that it do pass.

W. F. CLEVELAND, *Chairman.*

Ordered passed on file March 12, 1892.

By unanimous consent, Senator Finn was allowed to have his vote recorded on the affirmative on the passage of Senate file No. 260, he having been absent when the vote was taken.

Senator Lewis took the chair.

Senate file No. 210, a bill for an act to define the residence of any ex-soldier, sailor or marine who may be discharged from the Iowa Soldiers' Home, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Turner moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent,

Dodge, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Andrews, Brower, Everall, Mack, Mattoon, Mosnat, Shields—7.

Senator Finn offered the following as an amendment to the title, and on motion of Senator Turner was adopted: "And to fix liability for expenses in certain cases."

So the bill passed and the title as amended was agreed to.

On motion of Senator Conaway, 300 copies of substitute for Senate file No. 70, were ordered printed.

On motion of Senator Bolter, Senate file No. 84, a bill for an act amending chapter 134 of the acts of the Twenty-first General Assembly increasing the number of judges in the Fourth judicial district, and creating the Nineteenth judicial district and providing a judge therein, with report of committee recommending amendments, and as amended the bill do pass, was taken up considered, and the report of the committee was adopted.

Senator Bolter moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Vale, Yeomans—39.

The nays were:

Senators Engle and Jewett—2.

Absent or not voting:

Senators Brower, Finn, Mattoon, Palmer, Parrott, Perkins, Reiniger, Smith of Wright, Turner—9.

Senator Bolter moved to amend the title by striking out the words "increasing the number of judges in the Fourth judicial district."

Carried.

So the bill passed, and the title as amended was agreed to.

Senate file No. 179, a bill for an act to amend section 203 of the Code as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of clerks of courts to Secretary of State, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Hager moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—48.

The nays were:

None.

Absent or not voting:

Senators Brower, Gardiner—2.

So the bill passed and the title was agreed to.

On motion of Senator Oleson, Senate file No. 105, a bill for an act to amend section 2, chapter 151, acts of the Eighteenth General Assembly, in relation to the State Board of Health, with the report of committee recommending amendments and that as amended the bill do pass, was taken up, considered and the report of the committee was adopted.

On motion of Senator Reiniger, all after the word "imprisonment" in line 10, section 1, was stricken out.

On motion of Senator Hager, all of section 2, was stricken out.

On motion of Senator Mack the words "tenth and" were inserted before the word "eleventh" in line 5, section 1, and the letter "s" added to the word "line" in line 3.

On motion of Senator Reiniger the words "not exceeding thirty days" were added after the word "imprisonment," in line 10, section 1.

Senator Oleson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble,

Groneweg, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Finn, Gardiner, Green, Hager, Harmon, McCall, Rich, Smith of Wapello—8.

So the bill passed and the title was agreed to.

Senate file No. 6, a bill for an act to pay Captain Washington Gal-land for services rendered in the late war of the rebellion, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

The substitute was read a first and second times.

Senator Andrews moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

Senate file No. 5, a bill for an act to pay Lieutenant Rufus Good-nough for services rendered in the late war of the rebellion, with report of committee recommending that the bill do pass, was taken up, con-sidered, and the report of the committee was adopted.

Senator Kent moved that the hour of adjournment be extended until the question now under consideration is disposed of.

Carried.

Senator Kent moved that the bill be engrossed and read a third time to-morrow, which motion prevailed.

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Har-mon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reynolds, Shields, Smith of Butler, Smith of Wright, Terry, Turner, Vale, Yeomans—37.

The nays were:

Senators Bolter, Groneweg, Perry and Rich—4.

Absent or not voting:

Senators Bishop, Brower, Conaway, Hurst, McCall, Reiniger, Stew-art, Schmidt and Smith of Wapello—9.

So the bill was ordered engrossed and read a third time to-morrow.

Senator Reynolds filed the following motion for reconsideration of the vote by which substitute for Senate file No. 70 was ordered en-grossed :

MR. PRESIDENT—I move that the vote by which substitute for Senate file No. 70 was engrossed, be reconsidered.

E. M. REYNOLDS.

Senate adjourned until Friday at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 18, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. Blodgett, of Creston, Iowa.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of E. J. Roadman and other citizens of Grundy county asking for legislation of various kinds.

Referred to Committee on Ways and Means.

Senator Green presented petition of citizens of Jones county asking for passage of "Conger Lard Bill."

Referred to Committee on Federal Relations.

Senator Green presented petition of citizens of Jones county favoring revision of revenue laws and other matters.

Referred to Committee on Ways and Means.

Senator Gatch presented remonstrance of Dr. James Taggart and fifteen other physicians of Des Moines against the passage of Senate file No. 70.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Bishop, Senate file No. 373, a bill for an act to amend section 814, Code of 1873, relating to deducting indebtedness from assessed valuations.

Read first and second times and referred to Committee on Agriculture.

By Senator Chantry, Senate file No. 374, a bill for an act for the better protection of the colors, standards and battle flags, carried by Iowa regiments and batteries in the war of the rebellion.

Read first and second times and referred to Committee on Appropriations.

By Senator Gardiner, by request, Senate file No. 372, a bill for an act making the provisions of section 3, chapter 20, laws of the Twentieth General Assembly, permitting the payment by installments of street paving assessments in cities of the first-class, organized as such since 1881, applicable to street railway companies.

Read first and second times and referred to Committee on Corporations.

REPORTS OF COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate resolution requesting the Governor to report conditions of the pardon of Chester Turney, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the resolution be adopted.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Kelly, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 368, a bill for an act to amend chapter 9, Title XII, of the Code of 1873 providing for calling in certain contingencies, meetings of independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 95, a bill for an act to protect persons and property from danger from steam engines on public highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 266, a bill for an act to amend section 990 and 1001 of the Code, for the purpose of relieving the counties of liabilities in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. TERRY, *Chairman*.

Ordered passed on file.

Senator Gardiner, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 313, a bill for an act to establish a board of inspectors for steam boilers, and to provide for licensing engineers of steam engines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended, and that with the amendments it do pass.

First. The amendments are as follows: In line 1 of section 1 of printed bill, the word "elected" be stricken out, and the words "appointed by the Governor" inserted in lieu thereof.

Second. In line 10 of section 1 the words, "Thirty-first day of January" be stricken out, and the the words, "June thirtieth," inserted in lieu thereof.

Third. That section 4 be stricken out and the following be inserted as section 4. "SECTION 4. *Duty of Inspectors—Penalty*—Every owner, lessee or other person having charge of steam boilers not subject to inspection under the laws of the United States, that the same be inspected at least once a year by the inspector herein provided for, and every such inspector having charge of such boiler neglecting to do so, shall be subject to a penalty of twenty-five dollars (\$25.00) for the first offense, and fifty dollars (\$50.00) for the second offense, said amount to accrue to the State.

Fourth. In section 12, third line, add after the words, "eight-horse power," the words, "and for steam generators."

Fifth. The addition of an additional section to the bill, the same to be numbered as section eighteen and to read as follows:

SECTION 18. That nothing in this act shall require the annual examination of steam boilers or generators used for heating purposes in *Residence Buildings* or for licensing the owner or occupants, or employes of said residence building; *provided*, that nothing herein shall apply to any public building; and *provided* further, that all steam generators shall be properly tested before placing as hereinbefore provided by this act.

S. W. GARDINER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate file No. 202, a bill for an act to establish a board of inspectors for steam vessels and steam boilers, and to provide for licensing engineers of steam engines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

S. W. GARDINER, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing five thousand copies of "Iowa Resources and Industries" at World's Fair 1885, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendments: Strike out of line 2, section 1 of bill "three thousand eight hundred and eight" and in lieu thereof insert "twenty-five hundred," and after the word "claim," end of line 3, same section, add "in full." And at the end of publication clause add "without expense to the State;" and with these amendments recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 180, a bill for an act authorizing the building of a cottage for female patients adjacent to the Iowa Hospital for Insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 221, a bill for an act to aid the State Historical Society of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendments: Strike out of line 3, section 1, the words "annually the sum of five hundred dollars," and insert in lieu thereof the words "one thousand dollars for biennial period," and after the last word of said section add "but not more than one-half of the money so appropriated shall be drawn in the year 1892"; and with these amendments recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 340, a bill for an act making appropriation for the Benedict Retreat, situated at Decorah, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 363, a bill for an act making an appropriation for the State Library, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 356, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum, at Andrew, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted: Strike out the word "resolved" in the enacting clause, and insert in lieu thereof the word "enacted;" strike out the words "without interest" in the

third line of section 1; strike out all of section 2, and when so amended, the bill pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 83, a bill for an act to change the name of "The Iowa Institution for the Education of the Deaf and Dumb" to "The Iowa School for the Deaf," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without any recommendation as to its passage, to be considered the same as if it had not been referred.

T. B. PERRY, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 351, a bill for an act to better provide for the care of insane persons, and to prohibit the keeping of insane persons not residents of this state in any hospital for the insane belonging to the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 5, a bill for an act to appropriate money to pay Lieutenant Rufus Goodnough for services rendered the State of Iowa during the year 1861, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully to report that they have examined substitute for Senate file No. 6, a bill for an act to appropriate money to pay Captain Washington Galland for services rendered the State of Iowa during the war of the Rebellion, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 70, a bill for an act to amend section 1, chapter 104, of the laws of the Twenty-first General Assembly and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 33, a bill for an act to provide for holding Farmers' Institutes in the State of Iowa, and providing for the expenses thereof.

Also:

Senate file No. 83, a bill for an act amending section one (1), chapter 17, of the laws of the Twenty-second General Assembly, relating to funding outstanding indebtedness of cities.

Also:

Joint resolution No. 11, a joint resolution instructing our Senators and requesting our Representatives in Congress to procure the passage of an act of Congress which shall provide for indemnifying the *bona fide* settlers upon what is known as Des Moines River Lands whose titles have failed.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 339, a bill for an act relative to reports from railroad companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 169, a bill for an act to amend chapter 31 of the laws of the Twenty-second General Assembly relative to change of name of railway stations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 391, a bill for an act to amend chapter 159, of the acts of the Twentieth General Assembly, of the State of Iowa, to repeal sections 2 and 4 thereof, and enact substitutes for said sections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator R. S. Smith, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate resolution (accompanying this report), pertaining to the discharge of certain committee clerks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed for the reasons that we find upon examination that the resolution seeks to retain some clerks who have less work to perform than those sought to be discharged. Your committee is also of the opinion that the proper time to reform in reducing the number of clerks is at

the commencement of the session and not at its close, as clerks have much more work at the close than at the beginning of the session. Therefore, we deem it inexpedient to dispense with any of the clerks at this time of the session.

R. S. SMITH, *Chairman*.

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate resolution by Senator Reiniger: Resolved by the Senate, the House concurring, that the appropriation committees of the General Assembly be and are hereby instructed to report no extraordinary appropriations in excess of the surplus revenue of the State, based on a levy of a two-mill State tax; beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the said resolution be favorably acted upon by the Senate, and that the same do pass; and in connection with this, submit estimate of receipts and expenditures for the biennial period.

ESTIMATE

of Receipts and Expenditures for the Biennial Period, beginning July 1, 1891, to June 30th, 1893, by the Senate Ways and Means Committee.

RECEIPTS.

July 1, 1891, balance in treasury	\$ 488,058.95
Balance in hands of county treasurers	34,800.64
Estimated receipts from taxes based upon an assessment of \$530,505,141.10	2,122,780.56
Estimated receipts from other sources. See Auditor's Report and statement.....	1,000,000.00
	<hr/>
	\$ 3,645,730.15

EXPENDITURES.

Appropriations made by previous General Assembly	404,807.34
Estimated regular expenditures provided for by law for biennial period, ending June 30, 1893, and for salaries of State officers, judges, etc., and for current expenses up to April 1, 1894	2,628,420.00
Balance	612,502.81
	<hr/>
	\$ 3,645,730.15

This leaves for extraordinary appropriations. 612,502.81

Besides the amount above stated there should be in the treasury or in the course of collection by the county treasurers a sum of about..... 172,500.00

Which sum is included in the list of expenditures as per Auditor's statement No. X, is to be disbursed between July 1, 1893, and April 1, 1894, for salaries of State officers, judges, etc., and other current expenses.

This sum is really not available for appropriations, but if it should be necessary to use part of it, no embarrassment need be feared, as enough money will be collected during that time to make up any such deficiency.

Respectfully submitted,

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 21, a bill for an act to provide for the establishment of the office of State examiner of public accounts, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 220, a bill for an act to amend section 796 of the Code, relating to tax levy for county purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked:

In reference to the printing of the laws of the State of Iowa as pertains to the duties of township trustees.

Also:

That the House has concurred in the Senate amendments to House files No. 59 and 73.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, 1st Ass't.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, 12, 13, 233, 270, 495, in which the concurrence of the Senate is asked:

House file No. 12, a bill for an act to amend section No. 803, of the Code of 1893, relating to assessment of taxes.

House file No. 13, a bill for an act for the taxation of the interests of lien holders in real estate.

House file No. 233, a bill for an act to secure the more effective listing of moneys and credits for taxation.

House file No. 270, a bill for an act to amend section one, chapter 105, acts of the Twentieth General Assembly, relating to civil rights.

House file No. 495, a bill for an act to amend chapter 9, Title XII, of the Code of 1873, by adding thereto, "Providing for calling in certain contingencies meetings of independent districts."

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, 1st. Ass't.

HOUSE BILLS.

House file No. 233, a bill for an act to secure the more effective listing of moneys and credits for taxation.

Read first and second times and referred to Committee on Ways and Means.

House file No. 12, a bill for an act to amend section No. 803 of the Code of 1873, relating to the assessment of taxes.

Read first and second times and referred to Committee on Ways and Means.

House file No. 13, a bill for an act for the taxation of the interests of lien holders in real estate.

Read first and second times and referred to Committee on Judiciary. Senator Perry introduced the following resolution:

Resolved, That the Committee on Mines and Mining be, and is hereby requested, to report back to the Senate without delay, Senate file No. 289, a bill for an act to provide for the use of a uniform screen at coal mines; for bi-weekly payment of coal miners and for other purposes, and to punish violations of this act.

Senator Reynolds moved to amend by adding Senate file No. 50 and House file No. 215.

On motion of Senator Bailey the resolution and amendment were laid on the table.

House concurrent resolution relating to the printing of the laws of the State of Iowa as pertains to the duties of township trustees, was taken up, read and passed the Senate.

On motion of Senator Bolter, House file No. 270, a bill for an act to amend section 1, chapter 105, acts of the Twentieth General Assembly, relating to civil rights, was taken up, considered.

Senator Bolter moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale—45.

The nays were:

Senators Shields, Yeomans—2

Absent or not voting:

Senators Jamison, Kent, Terry—3.

So the bill passed and the title was agreed to.

On motion of Senator Finn, the report of the Committee on Senate Resolutions, relative to the pardon of Chester Turney, was taken up, and adopted.

On motion of Senator Reiniger, House file No. 495, was substituted for Senate file No. 368.

On motion of Senator Reiniger, House file No. 495, a bill for an act to amend chapter 9, Title XII, of the Code of 1873, providing for calling certain contingencies, meetings of independent districts, was taken up and considered.

Senator Shields moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perry, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Bolter, Engle, Groneweg, Mattoon, Smith of Wapello, Turner—6.

So the bill passed and the title was agreed to.

Senator Conaway moved that the motion of Senator Reynolds, to reconsider the vote by which Senate file No. 70 was engrossed, be laid on the table.

Carried.

On motion of Senator Conaway, Senate file No. 70 was taken up and considered.

The bill having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bolter, Chantry, Cleveland, Conaway, Funk, Hager, Kent, Mosnat, Parrott, Perkins, Reiniger, Smith of Wright, Stewart, Terry, Vale—15.

The nays were:

Senators Everall, Gardiner, Gatch, Gobble, Green, Groneweg, McCall, Mattoon, Perry, Reynolds—10.

Absent or not voting:

Senators Andrews, Bailey, Bishop, Brower, Dent, Dodge, Engle, Finn, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Oleson, Palmer, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Turner, Yeomans—25.

Senator Conaway asked a call of the Senate, which was ordered, and the following Senators shown to be present:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Everall, Funk, Gatch, Gobble, Green, Hager, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon Mosnat, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—36.

On the question, "Shall the bill pass?"

A second roll call was had.

The yeas were:

Senators Bolter, Chantry, Cleveland, Conaway, Engle, Funk, Hager, Harmon, Harsh, Kent, Mosnat, Parrott, Perkins, Reiniger, Smith of Wright, Stewart, Terry, Vale, Yeomans—19.

The nays were:

Senators Andrews, Everall, Gardiner, Gatch, Gobble, Green, Jamison, Kelly, Lewis, McCall, Mattoon, Oleson, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wapello—17.

Absent or not voting:

Senators Bailey, Brower, Dodge, Finn, Groneweg, Hurst, Mack, Palmer, Rich, Shields, Turner—11.

The excused Senators were:

Senators Bishop, Dent, Jewett—3.

The bill having failed to receive a constitutional majority was declared lost.

On motion of Senator Kent, Senate file No. 6, a bill for an act to pay Captain Washington Galland for services rendered in the late war of the rebellion, was taken up.

The bill having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Brower, Chantry, Cleveland, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—38.

The nays were:

Senators Bishop, Bolter, Conaway, Lewis, Perry—5.

Absent or not voting:

Senators Bailey, Dent, Green, Groneweg, Oleson, Rich, Shields—7,

So the bill passed and the title was agreed to.

Senate file No. 5, a bill for an act to pay Lieutenant Rufus Good-nough for services rendered in the late war of the rebellion, was taken up.

The bill having been engrossed was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Chantry, Cleveland, Dodge, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale—35.

The nays were:

Senators Bishop, Bolter, Conaway, Lewis, Perry—5.

Absent or not voting:

Senators Bailey, Brower, Dent, Everall, Green, Groneweg, Rich, Shields, Turner, Yeomans—10.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 57, a bill for an act to repeal section 3792 of the Code, in reference to the compensation of county recorders, with report of committee recommending that the bill do pass, was taken up and considered.

The question pending under the call of unfinished business being the adoption of the following amendment, offered by Senator Gobble:

Amend section 2, line 11, by striking out the word "five" and the figures "25,000," and insert "20,000."

The author of the bill accepted the amendment.

President *pro tem* Kelly took the chair.

Senator Andrews offered the following as a substitute for the bill now under consideration, it being Senate file No. 57, and moved to strike out all after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That section 3792 of the Code of 1873 be amended by striking out the word "ten" in the last clause thereof, and inserting the word "five" in lieu thereof.

Senator Finn offered the following amendment: Amend by striking out "25,000" and insert "30,000" in line 11.

The amendment offered by Senator Finn was ruled out of order.

Senator Smith of Wapello, moved the previous question, which was seconded and ordered.

The question now being on the adoption of the amendment offered by Senator Andrews.

Lost.

Senator Cleveland moved that the bill be engrossed and read a third time to-morrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Cleveland, Finn, Jewett, Kelly, Kent, Smith of Butler, Smith of Wright, Stewart, Terry—9.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Dodge, Engle, Everall, Funk, Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Wapello, Turner, Yeomans—35.

Absent or not voting:

Senators Dent, Gardiner, Green, Mattoon, Schmidt, Vale—6.

So the motion to engross was lost.

Senator Gobble moved that when the Senate does adjourn that it adjourns to meet at 2 o'clock this afternoon.

Carried.

Senator Brower moved to have calendar No. 42 take the place of calendar No. 2 and that the report of the committee on calendar No. 42 be read.

On motion of Senator Brower, House file No. 427 was substituted for Senate file No. 295.

On motion of Senator Brower, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Funk, Gobble, Green, Hager, Harmon, Harsh, Jewett, Kent, Mack, Mattoon, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Terry, Turner, Vale—28.

The nays were:

Senators Bishop, Bolter, Engle, Finn, Gatch, Groneweg, Hurst, Lewis, McCall, Smith of Butler—10.

Absent or not voting:

Senators Andrews, Dent, Gardiner, Jamison, Kelly, Mosnat, Oleson, Perry, Rich, Smith of Wapello, Yeomans, Stewart—12.

So the bill passed and the title was agreed to.

The Senate adjourned to meet at 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Bestow presiding.

Senators Kelly and Palmer are paired on all questions until Monday, March 21, 1892; also Senators Turner and Everall.

On motion of Senator Groneweg, the following concurrent resolution, offered by Senator Reiniger, was adopted:

Resolved by the Senate, the House concurring, That the Appropriations Committee of the General Assembly be and are hereby instructed to report no extraordinary appropriations in excess of the surplus revenue of the State, based on a levy of a two mills State tax.

Senator Gardiner introduced and moved the adoption of the following resolution:

Resolved by the Senate, the House concurring, That the Governor be advised to grant the application of William Slovey for a pardon, to be conditioned, however, upon the promises of said William Slovey to abstain from the use of intoxicating liquors, from associating with vicious characters, and that he will not again at Clinton, Iowa, or in any other place within the State of Iowa, open a saloon or sell intoxicating liquors; and in case of his violation of such promise, said pardon to be revoked.

On motion of Senator Lewis the resolution was referred to the Committee on Penitentiaries and Pardons.

Senate file No. 67, a bill for an act imposing a tax on corporate franchises and shares of stock, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved the adoption of the following amendment:

Amend section 1 by adding at the end of the section the following:

Provided, That the provisions of this act shall not apply to co-operative creamery companies, or building and loan associations, doing business exclusively within the counties in which they are located.

Senator Reiniger offered the following as an amendment to the amendment:

Add the words, "And county farmers mutual insurance companies."

The question now being on the amendment to the amendment offered by Senator Reiniger.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Chantry, Conaway, Engle, Everall, Finn, Harmon, Harsh, Jewett, McCall, Mattoon, Parrott, Perkins, Reiniger, Smith of Butler, Smith of Wright, Terry, Turner, Vale—20.

The nays were:

Senators Andrews, Bishop, Bolter, Dodge, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Hurst, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Perry, Rich, Schmidt, Smith of Wapello, Stewart, Yeomans—24.

Absent or not voting:

Senators Cleveland, Dent, Funk, Palmer, Reynolds, Shields—6.

So the amendment to the amendment was lost.

Senator Finn moved to amend the amendment by adding after the word "creamery," "cheese factories, canning factories and tile factories."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Chantry, Conaway, Engle, Everall, Finn, Harmon, Jamison, Jewett, Mack, McCall, Mattoon, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Terry, Turner, Vale—22.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Dodge, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Kelly, Kent, Lewis, Mosnat, Oleson, Perry, Rich, Smith of Wapello, Stewart, Yeomans—23.

Absent or not voting:

Senators Dent, Funk, Palmer, Schmidt, Shields—5.

So the amendment to the amendment was lost.

The question being upon the adoption of the amendment offered by Senator Parrott.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Chantry, Conaway, Engle, Everall, Finn, Harmon, Harsh, Jamison, Jewett, Mack, McCall, Mattoon, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Terry, Turner, Vale—23.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Dodge, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Hurst, Kelly, Kent, Lewis, Mosnat, Oleson, Perry, Rich, Smith of Wapello, Stewart, Yeomans—22.

Absent or not voting:

Senators, Dent, Funk, Palmer, Schmidt, Shields—5.

So the amendment was adopted.

Senator Reiniger offered the following amendment:

Amend section 1, by adding after the word "profit" in first line of printed bill the words "having a subscribed capital of \$5,000 or more."

Senator Kelly moved the previous question which was seconded and ordered.

The following substitute for section 1 was offered by Senator Bishop, and ruled out of order for the reason that an amendment to said section was pending:

Every corporation, joint-stock company or association incorporated by or under any general or special law of this State, having capital stock divided into shares,

shall pay to the State Treasurer for the use of the State a tax of one-eighth of one per centum upon the amount of capital stock which said corporation, joint-stock company or association is authorized to have, and a like tax upon any subsequent increase thereof.

The question now being upon the adoption of the amendment offered by Senator Reiniger.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Conaway, Finn, Harmon, Jamison, Jewett, McCall, Mattoon, Parrott, Reiniger, Reynolds, Smith of Wright, Turner, Vale—15.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Dodge, Engle, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Perry, Rich, Schmidt, Smith of Butler, Smith of Wapello, Yeomans—28.

Absent or not voting:

Senators Brower, Funk, Palmer, Perkins, Shields, Terry—7.

So the amendment was lost.

On the question, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Smith of Butler, Smith of Wapello, Stewart, Terry—30.

The nays were :

Senators Bailey, Chantry, Conaway, Finn, Harmon, Hurst, Jamison, Jewett, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Turner, Vale, Yeomans—16.

Absent or not voting :

Senators Andrews, Brower, Palmer, Shields—4.

So the bill was ordered engrossed.

Senator Chantry filed the following explanation of his vote:

MR. PRESIDENT—I shall have to vote against this bill for the reason I believe its workings would be in the interests of large and powerful corporations and would discourage the organization of "improvement companies" in our small towns, as well as all Farmers' Mutual Benefit Associations in the rural districts of our State. In fact, it would assist the strong by strangling the weak.

A. J. CHANTRY.

Senator Reynolds explained his vote as follows:

MR. PRESIDENT—For the reason that growing industries in which the people

are interested, in my opinion would be unjustly discriminated against, I vote "no" on the engrossment of Senate file No. 67.

E. M. REYNOLDS,
Senator Third District.

Senator Bailey explained his vote as follows:

MR. PRESIDENT—I desire to give my reason for voting "no" on this bill. I believe it is a direct blow at the small corporations in our villages, small towns. I can not believe the people of Iowa demand any such legislation.

A. K. BAILEY.

Senator Reiniger explained his vote as follows:

If this bill had exempted the small corporations that may incorporate to carry on a legitimate business I would have voted for this bill. As the bill now reads, I believe it will do more harm in the long run than any benefit that may come from it.

ROBERT G. REINIGER,
Senator Forty-fourth District.

Senator Conaway filed the following explanation:

MR. PRESIDENT—In explanation of my vote, I desire to say that I am opposed to the bill under consideration for the reason that I can see no good reason why a corporation of one hundred thousand dollars should be taxed one-tenth of one per cent, while the smaller ones will be taxed under its provisions five hundred per cent. As I view it, it is the strong that should bear the greater burden, but in this bill it is reversed. I therefore vote "no."

A. B. CONAWAY,
Senator Fourteenth District.

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote against this bill as being in the interest of the corporations of this State for the purpose of preventing competition, thereby giving them the monopoly of which the people have the right and do complain. If the amendment had been adopted giving localities the right to enterprises which, without incorporating, would never be engaged in, I should think different of the same. It is in behalf of wealth, at best. If the corporation has \$100,000, it is taxed one tenth of one per cent; if, however, it has \$2,000, it is taxed five per cent. It taxes, burdens, and discriminates against such enterprises as cheese, tile and canning factories so much demanded and so useful to the State and localities.

G. L. FINN.

Senator Bolter took the chair.

Senate file No. 205, a bill for an act to amend section 2, of chapter 148, of the laws of the Sixteenth General Assembly, with report of committee recommending that the bill do pass, was taken up, considered, and on motion of Senator Smith, of Wapello, the report of the committee was adopted.

Senator Mosnat moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—40.

The nays were :

Senator Yeomans—1.

Absent or not voting :

Senators Bailey, Brower, Dent, Jamison, Kent, Mattoon, Palmer, Perry, Shields—9.

So the bill passed and the title was agreed to.

On motion of Senator Gobble Senate file No. 199, a bill for an act to amend section 853, chapter 1, Title VI of the Code, relating to the lien of taxes between vendor and vendee, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were :

Senators Bailey, Bishop, Bolter, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perry, Reynolds, Schmidt, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—31.

The nays were:

Senators Andrews, Hager, Jamison, Jewett, Lewis—5.

Absent or not voting:

Senators Brower, Chantry, Engle, Everall, Finn, Harmon, Palmer, Perkins, Rich, Reiniger, Shields, Smith of Butler, Terry Turner—14.

So the bill passed and the title was agreed to.

On motion of Senator Parrott, Senate file No. 151, a bill for an act to amend section 1072 of the Code relating to the opening and closing the polls at all general elections, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Parrott the number "1072" was stricken out and the number "611" inserted in lieu thereof whenever said number occurs in the title of the bill.

Pending the question of engrossment, on motion of Senator Cleveland the Senate adjourned until 9 A. M. to-morrow morning.

SENATE CHAMBER,
Des Moines, Iowa, Saturday, March 19, 1892. }

Senate met in regular session at 9 o'clock, A. M., President Bestow presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

At the request of Senator Cleveland, Senator Kelly was excused until Monday next.

At request of Senator Reynolds, Senator Smith, of Butler, was excused for this day.

Senator Cleveland was excused for to-day on account of his being engaged as chairman of the Committee on Appropriations.

Senator Turner was granted leave of absence until Tuesday morning.

Committee substitute for Senate file No. 208 was recommitted to the Committee on Agriculture.

PETITIONS AND MEMORIALS.

Senator Harsh presented petition of about four hundred citizens of Sac county, favoring erection of cottages at Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Reiniger presented petition of Rev. A. C. Grier, Mrs. H. M. Samsen and twenty-one other citizens of Charles City, in favor of reformatory prisons for women.

Referred to Committee on Penitentiaries and Pardons.

Senator Everall presented petition of sixty-five citizens of Clayton, Clayton county, Iowa, protesting against the passage of the Shields' fish bill.

Referred to Committee on Fish and Game.

Senator Bailey presented petition of a number of men and women of Iowa, favoring reformatory prisons for fallen women.

Referred to Committee on Penitentiaries and Pardons.

REPORTS OF COMMITTEES.

Senator Everall, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 206, a bill for an act to amend section 11 of chapter 82, acts of the Twenty-second General Assembly, in relation to public printing and binding, beg leave to report that they have had the same under consideration and have instructed me to

report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 118, a bill for an act to repeal section 307 of the Code, and to enact a substitute, relating to publishing proceedings of boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute therefor, which accompanies this report, be adopted in lieu thereof, and when so adopted the substitute do pass.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 349, a bill for an act to better provide for the publication of the proceedings of the county board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN EVERALL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House file No. 159, a bill for an act to amend chapter 167, laws of 1882, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN EVERALL, *Chairman pro tem*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 208, a bill for an act to repeal section 4042, of the Code of 1873, and to provide a substitute therefor, and to enlarge the duties and powers of the State Dairy Commissioner, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that with the amendments hereto attached the bill be referred to the Committee on Agriculture.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 67, a bill for an act imposing a tax on corporate franchises and shares of stock, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

A call of the Senate disclosed the following Senators present, being a quorum of the Senate:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Everall, Finn, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Mack, McCall, Mattoon, Oleson, Parrott, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Vale Yeomans—32.

INTRODUCTION OF BILLS.

By Senator Jamison, Senate file No. 376, a bill for an act to legalize the action of the board of supervisors of Warren county in a certain case.

Read first and second times and referred to Committee on Judiciary.

By Senator Stewart, Senate file No. 377, a bill for an act to legalize the organization of the independent school district of Nassau No. 4, of Prairie township, Keokuk county, Iowa, the election of directors thereof, and the voting of taxes therein.

Read first and second times and referred to Committee on Schools.

By Senator Bolter, Senate file No. 375, a bill for an act to authorize the loan of certain arms and accoutrements to military schools and colleges in the State of Iowa.

Senator Bolter moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Dent, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kent, Mack, McCall, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Wright, Stewart, Vale, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Conaway, Dodge, Engle, Gardiner, Harmon, Kelly, Lewis, Mattoon, Mosnat, Palmer, Shields, Smith of Butler, Smith of Wapello, Terry, Turner—16.

So the bill passed and the title was agreed to.

On motion of Senator Gobble, House file No. 225, a bill for an act to punish the crime of sodomy, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower Chantry, Conway, Dent, Everall, Funk, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kent, Mack, McCall, Oleson, Parrott, Perkins, Perry, Reynolds, Schmidt, Shields, Stewart, Vale, Yeomans—29.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Dodge, Engle, Finn, Gardiner, Hager, Harmon, Jamison, Jewett, Kelly, Lewis, Mattoon, Mosnat, Palmer, Reiniger, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner—21.

So the bill passed and the title was agreed to.

On motion of Senator Yeomans, Senate file No. 332, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing business to issue certificates and warehouse receipts on their own products while in their custody and control, with report of committee recommending amendments, and as amended that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Yeomans moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Greneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kent, Lewis Mack, McCall, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Finn, Harmon, Kelly, Mattoon, Mosnat, Palmer, Smith of Butler, Smith of Wapello, Terry, Turner—12.

So the bill passed and the title was agreed to.

On motion of Senator Reiniger, Senate file No. 299, a bill for an act to amend sections 2623 and 2624 of the Code, relating to unknown defendants, with report of committee recommending amendments

and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Reiniger moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Green, Hager, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Engle, Gobble, Groneweg, Harmon, Kelly, Mattoon, Mosnat, Palmer, Smith of Butler, Terry, Turner—12.

So the bill passed and the title was agreed to.

On motion of Senator Parrott, Senate file No. 151 was passed and retains its place on the calendar.

On motion of Senator McCall, Senate file No. 319 was replaced upon the calendar.

Senator Finn offered the following resolution and moved its adoption:

Resolved by the Senate, the House Concurring: That the President of the Senate and Speaker of the House declare their respective Houses adjourned *sine die* on Friday, the 25th day of March, at 12:30 o'clock P. M.

Under the rules the resolution went over until to-morrow.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills in which the concurrence of the House was asked:

Senate file No. 169, a bill for an act to amend section 1, chapter 24, of the acts of the Twentieth General Assembly, in relation to station houses at intersections.

Also, that the House has passed Senate concurrent resolution, in relation to the pardon of John S. Little.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, with amendments, in which the concurrence of the Senate is asked:

Senate file No. 260, a bill for an act to provide for a State soldiers' and sailors' monument; amended by inserting after the word "material," in line 12 of section

4 of the engrossed bill, the word "men." Also, by striking out "\$2,000," in the 23th line of section 5 of the engrossed bill, and inserting therefor the figures '\$10,000.'

CHARLES BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, in which the concurrence of the House was asked:

Senate file No. 324, a bill for an act to legalize the franchise of the Cedar Rapids Electric Light and Power Company, and certain ordinances of the city of Cedar Rapids, granting, defining and fixing such franchise.

CHAS. BEVERLY, *Chief Clerk.*

PER D. H. SCOTT, *Assistant Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 472, substitute for House file No. 303, a bill for an act to authorize the construction of railways operated by electricity, and regulate the same.

House file No. 439, substitute for House file No. 251, a bill for an act to amend section 1 of 24th chapter of the acts of the Twentieth General Assembly.

Also, that the House has passed the following concurrent resolution, in which the concurrence of Senate is asked.

Resolved by the House, the Senate concurring: That the Secretary of State is hereby directed and authorized to procure the printing of five thousand (5,000) additional copies of the Iowa Official Register for 1892, as compiled in his office, and that when so printed, he is hereby directed to forward to each member of the Twenty-fourth General Assembly thirty (30) copies of such Official Register for distribution by such member.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Shields, Senate file No. 93, a bill for an act making an appropriation for a creditable exhibit of the resources of the State of Iowa in the World's Columbian Exposition of 1893, to be held in Chicago, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the report of committee was adopted. Read first and second times and under suspension of the rules came up for further consideration.

Senator Finn moved to amend by striking out "\$125,000" and inserting "\$100,000."

Senator Gardiner moved to amend the amendment by striking out "\$100,000" and inserting "\$150,000."

Senator Dodge moved the previous question which was seconded.

On the question, "Shall the previous question be ordered?"

The yeas were:

Senators Andrews, Brower, Chantry, Cleveland, Dent, Dodge, Engle, Gardiner, Green, Groneweg, Hager, Hurst, Jamison, Kent, Mack, Oleson, Perry, Schmidt, Smith of Wapello—19..

The nays were:

Senators Bailey, Bishop, Bolter, Conaway, Everall, Finn, Funk, Gatch, Gobble, Harmon, Harsh, Jewett, Lewis, McCall, Mattoon, Parrott, Perkins, Reiniger, Reynolds, Shields, Smith of Wright, Stewart, Vale, Yeomans—24.

Absent or not voting:

Senators Kelly, Mosnat, Palmer, Rich, Smith of Butler, Terry, Turner—7.

So the previous question was not ordered.

Senator Smith, of Wapello, moved that when the Senate adjourns, it do adjourn to meet at 2 o'clock this afternoon.

Carried.

The question now being upon the adoption of the amendment to the amendment.

The amendment to the amendment was lost.

Pending discussion of the amendment offered by Senator Finn, the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 2 o'clock P. M., President Bestow presiding.

Senator Shields moved that the further consideration of Senate file No. 93 be postponed until Tuesday, March 22d, 1892, at 10:30 o'clock A. M., and that it be made a special order for that hour.

Carried.

Leave of absence was granted Senator Smith of Butler, until Monday.

Leave of absence was granted Senator Perry until Monday at 2 P. M.

REPORTS OF COMMITTEES.

Senator Dent, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred House file No. 11, a bill for an act to repeal section 912, title 6, chapter 3 of the Code of 1873, chapter 155, acts of the Seventeenth General Assembly, and enact a substitute therefor, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WM. HAMILTON DENT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 370, a bill for an act to amend section three (3) of chapter one hundred and forty-eight (148), acts of the Twenty-first General Assembly, relative to the salary of the custodian, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WM. HAMILTON DENT, *Chairman*.

Ordered passed on file.

Senator Rich, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 208, a bill for an act to repeal section 4042, of the Code of 1873, and provide a substitute therefor, and to enlarge the duties and powers of the State Dairy Commissioner, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass when amended as recommended by the Committee on Appropriations.

THOMAS RICH, *Chairman*.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Green, Senate file No. 378, a bill for an act to legalize certain ordinances of the town of Stanwood, Cedar county, Iowa.

Read first and second times and referred to Committee on Judiciary.

On motion of Senator Jamison, House file No. 472, a bill for an act to authorize the construction of railways operated by electricity and to regulate the same, was read a first and second times and referred to Committee on Cities and Towns.

Senator Brower called up Senate file No. 260 and moved that the House amendments to said bill be concurred in:

On this the yeas and nays were demanded:

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Dodge, Finn, Funk, Gardiner, Gatch, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Mack, McCall, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Bishop, Bolter, Cleveland, Dent, Engle, Everall, Gobble, Hager, Kelly, Lewis, Mattoon, Mosnat, Palmer, Perry, Smith of Butler, Terry, Turner—17.

So the House amendments were concurred in.

On motion of Senator Smith of Wapello, Senate file No. 224, a bill for an act to repeal section 1, of chapter 14, acts of the Twenty-third General Assembly and enacting a substitute therefor, making the provisions of said chapter applicable to all cities containing a population of over ten thousand and all cities organized and existing under special charter, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator McCall offered the following amendment, which was adopted.

Strike out the word "ten," where it appears in line two of section 1, printed bill, and insert in lieu thereof the word "four."

Senator Smith of Wapello moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Engle, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kent, Lewis, Mack, McCall, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—37.

The nays were :

None.

Absent or not voting :

Senators Cleveland, Everall, Finn, Gatch, Jewett, Kelly, Mattoon, Mosnat, Palmer, Perry, Smith of Butler, Terry, Turner—13.

On motion of Senator McCall the title was amended by striking out the word "ten and inserting the word "four."

So the bill passed, and the title as amended was agreed to.

On motion of Senator Funk, Senate file No. 145, a bill for an act to amend section 3275, chapter 2, Title XX of 1873, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Funk moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conway, Dent, Dodge, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kent, Lewis, Mack, McCall, Oleson, Parrott, Perkins, Reiniger, Rich, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—35.

The nays were:

Senators Engle, Schmidt—2.

Absent or not voting:

Senators Cleveland, Everall, Gatch, Jewett, Kelly, Mattoon, Mosnat, Palmer, Perry, Reynolds, Smith of Butler, Terry, Turner—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills with amendments, in which the concurrence of the Senate is asked:

Senate file No. 132, a bill for an act providing for the collection and tabulation of statistics of crops and live stock.

Amend by striking out the words "under oath" in line 5 of section 1 of the original bill.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bill in which the concurrence of the Senate is asked:

House file No. 414, a bill for an act to amend chapter 15, acts of the Eighteenth General Assembly, in relation to local boards of health.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to ask that your honorable body will return to the House, Senate file No. 169, in which the concurrence of the House was asked, as a motion has been filed to reconsider the vote by which the same was passed.

CHARLES BEVERLY, *Chief Clerk*.

By unanimous consent Senate file No. 169 was returned to the House as per above request.

Senator Mack moved that Senate file No. 225 be taken up for consideration.

Lost.

On motion of Senator Brower, calendar No. 154 was substituted for calendar No. 12.

On motion of Senator Brower, House file No. 95, a bill for an act to protect persons and property from steam engines on public highways, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Brower moved to substitute House file No. 95, for Senate file No. 81.

Carried.

Senator Brower moved that the rule be suspended, and the bill be

considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

"On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Dent, Engle, Everall, Finn, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Vale Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Dodge, Funk, Gatch, Kelly, Kent, Mosnat, Palmer, Perry, Smith of Butler, Smith of Wright, Terry, Turner—13.

So the bill passed and the title was agreed to.

Senate file No. 112, a bill for an act to repeal section 1487 of the Code, and enact a substitute therefor, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Vale moved that the bill be engrossed and read a third time Monday, which motion prevailed.

Senate file No. 257, a bill for an act to make further provisions for the care of insane persons, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Yeomans moved that the report of the committee be not concurred in.

Lost.

The report of the committee was concurred in.

Senate file No. 2, a bill for an act entitled, "An act relating to the stopping of railway passenger trains," with report of committee recommending indefinite postponement, was taken up and considered.

Senator Vale took the chair.

Senator McCall moved that the report of the committee be not concurred in.

The yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Chantry, Dodge, Engle, Funk, Gatch, Groneweg, Hager, Jewett, Lewis, Mack, McCall, Parrott, Reiniger, Reynolds, Stewart, Vale—18.

The nays were:

Senators Bailey, Bishop, Brower, Conaway, Gobble, Hurst, Jamison, Kent, Mattoon, Oleson, Perkins, Rich, Schmidt, Shields, Smith of Wapello, Yeomans—16.

Absent or not voting:

Senators Cleveland, Dent, Everall, Finn, Gardiner, Green, Harmon, Harsh, Kelly, Mosnat, Palmer, Perry, Smith of Butler, Smith of Wright, Terry, Turner—16.

So the motion prevailed and the report of the committee was not concurred in.

Senator McCall moved that the bill be engrossed and read a third time Monday, which motion prevailed.

House file No. 8, a bill for an act to amend section 203 of the Code, as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of the clerks of court, with report of Committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Conaway, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Hurst, Jamison, Jewett, Kent, Mack, McCall, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—32.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Cleveland, Dent, Dodge, Finn, Gardiner, Harmon, Harsh, Kelly, Lewis, Mattoon, Mosnat, Palmer, Perry, Smith of Butler, Terry, Turner—18.

So the bill passed and the title was agreed to.

Senator Hager moved to reconsider the vote by which Senate file No. 2 was ordered engrossed.

Carried.

Senator McCall offered the following amendments to Senate file No. 2, which were adopted:

Amend by striking out of section 1, lines one, two and three, and all of line four, up to and including the word "provided," and insert in lieu of the word "provided" the word "that," and add publication clause, as follows: "This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the *Des Moines Leader* and *Iowa State Register*, newspapers published in Des Moines, Iowa."

Adopted.

Senator McCall moved that the bill be engrossed and read a third time Tuesday.

On the motion the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Conaway, Engle, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Jewett, Lewis, Mack, McCall, Mattoon, Parrott, Reiniger, Reynolds, Smith of Wright, Vale—24.

The nays were:

Senators Bishop, Hurst, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Yeomans—8.

Absent or not voting:

Senators Brower, Cleveland, Dent, Dodge, Finn, Gobble, Harsh, Jamison, Kelly, Kent, Mosnat, Oleson, Palmer, Perkins, Perry, Smith of Butler, Terry, Turner—18.

So the bill was ordered engrossed.

Senator Yeomans moved that the Senate do now adjourn.

Senator Bishop moved to amend by making the hour of adjournment until 2 o'clock P. M. Tuesday.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Chantry, Funk, Gatch, Hager, Lewis, McCall, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—16.

The nays were:

Senators Bailey, Bolter, Conaway, Engle, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Jamison, Jewett, Kent, Mack, Mattoon, Oleson, Parrott, Reiniger, Reynolds—19.

Absent or not voting:

Senators Brower, Cleveland, Dent, Dodge, Finn, Harmon, Harsh, Kelly, Mosnat, Palmer, Perkins, Perry, Smith of Butler, Terry, Turner—15.

So the amendment was lost.

Senator Lewis moved as an amendment that the Senate adjourn to meet at 8 o'clock this evening.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Engle, Gardiner, Jamison, Jewett, Lewis, Mack, Oleson—11.

The nays were:

Senators Andrews, Conaway, Everall, Finn, Gatch, Gobble, Groneweg, Hager, Harmon, Hurst, Kent, McCall, Mattoon, Perkins,

Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Vale, Yeomans—24.

Absent or not voting:

Senators Brower, Cleveland, Dent, Dodge, Funk, Green, Harsh, Kelly, Mosnat, Palmer, Parrott, Perry, Smith of Butler, Terry, Turner—15.

So the amendment was lost.

The question now being upon the motion of Senator Yeomans.

Carried, and the Senate adjourned until Monday morning at 9 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 21, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by the Rev. C. L. Nye, of Winterset, Iowa.

On motion of Senator Reynolds, House file No. 414 was referred to the Committee on Public Health.

Senator Bolter called up Senate file No. 132, and moved that the Senate concur in the House amendments to said bill.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Jewett, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Dodge, Engle, Gatch, Hager, Kelly, Kent, Lewis, Mack, Palmer, Perry, Reiniger, Smith of Wapello, Turner, Vale—14.

So the Senate concurred in the House amendments.

PETITIONS AND MEMORIALS.

Senator Everall presented petition of citizens of Highland township, Clayton county, Iowa, asking revision of revenue laws of the state, protection of promissory notes, Australian ballot law, etc.

Referred to Committee on Ways and Means.

Senator Finn presented petition of citizens of Scotch Grove, Jones county, Iowa, asking that equal political rights be conferred upon women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Finn presented petition of citizens of Jones county, Iowa, favoring reformatory prisons for fallen women.

Referred to Committee on Penitentiary and Pardons.

Senator Finn presented petition of Edgewood, Aurora and Lamont, Iowa, favoring closing of the World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Harsh presented petition of county officers and city officers of Creston, Union county, Iowa, asking the immediate abolishment of superior court at Creston.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Cleveland, by request, Senate file No. 379, a bill for an act legalizing the action of the council of Iowa City, granting franchise to electric light plant company.

By Senator Cleveland, by request, Senate file No. 380, a bill for an act legalizing similar action in reference to gas light company.

By Senator Cleveland, from Committee on Appropriations, Senate file No. 381, a bill for an act making appropriation for office of dairy commissioner.

By Committee on Appropriations, substitute for Senate file No. 79, a bill for an act making an appropriation for the Hospital for the Insane at Independence, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for additional permanent endowment and additional contingent fund for the same.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 64, a bill for an act to make appropriation for the Hospital for the Insane at Mt. Pleasant, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 95, a bill for an act making an appropriation for the penitentiary at Ft. Madison, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 121, a bill for an act to provide for a geological survey of the State of Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 317, a bill for an act making appropriations for the Soldier's Home at Marshalltown, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 256, a bill for an act appropriating money for the support of the boys, department of the Iowa Industrial School at Eldora, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 226, a bill for an act making an appropriation for the Hospital for the Iowa Insane at Clarinda, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 204,

a bill for an act making appropriation for the College for the Blind at Vinton, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 166, a bill for an act making appropriation for the penitentiary at Anamosa, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 160, a bill for an act making appropriation for the State Agricultural College at Ames, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 158, a bill for an act for an appropriation for the State University at Iowa City, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 155, a bill for an act making appropriation for the institute for the deaf and dumb at Council Bluffs, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 143, a bill for an act making appropriation for the Industrial Home for the Blind at Knoxville.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 142, a bill for an act making appropriation for the Institution of Feeble Minded at Glenwood, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 138, a bill for an act making appropriation for Benedict Home at Des Moines, Iowa.

Read first and second times and placed on file.

By Committee on Appropriations, substitute for Senate file No. 130, a bill for an act to make an appropriation for the Soldiers' Orphans' Home and for Indigent Children at Davenport, Iowa.

Read first and second times and placed on file.

REPORTS OF STANDING COMMITTEES.

Senator Smith of Wapello, from Committee on Enrolled Bills, made the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval: Senate file No. 83, a bill for an act to provide for holding Farmers' Institutes in the State of Iowa, and providing for the expenses thereof.

Also, Senate file No. 83, a bill for an act amending section one (1) of chapter

seventeen (17) of the laws of the Twenty-second General Assembly, relating to funding outstanding indebtedness of cities.

Also, Joint Resolution No. 11, a joint resolution instructing our Senators and requesting our Representatives in Congress to procure the passage of an act of Congress which shall provide for indemnifying the *bona fide* settlers upon what is known as Des Moines River Lands, whose titles have failed.

J. J. SMITH, *Chairman*.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate No. 364, a bill for an act to make an appropriation for the purpose of completing the frescoing, wall painting and wood furnishing of the Capitol building, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 237, a bill for an act providing for the support of the Iowa Weather and Crop Service and the publication of an increased number of copies of the Monthly Review, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendment: Strike out of line 2, section 1, of printed bill the words, "Three thousand dollars" and insert in lieu thereof the words "Two thousand seven hundred and fifty dollars," and with this amendment recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 188, a bill for an act to make appropriations for the girls' department of the Iowa Industrial School at Mitchellville, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 133, a bill for an act to amend the military Code and to increase the efficiency of the national guard, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation of the following amendments: Strike out the figures \$25,000 in line 5 of section 19 of the bill and insert the figures \$10,000 in lieu thereof, and with these amendments recommend that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 192, a bill for an act appropriating funds for the support of the

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 166, a bill for an act making appropriation for the penitentiary at Anamosa, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 256, a bill for an act to appropriate money for the support of the boys' department of the Iowa Industrial School at Eldora, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 317, a bill for an act making an appropriation for the Soldiers' Home at Marshalltown, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for additional permanent endowment and additional contingent fund for the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 226, a bill for an act making appropriation for the Hospital for the Insane at Clarinda, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 158, a bill for an act making appropriations for the State University at Iowa City, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 143, a bill for an act making appropriation for the Industrial Home for the Blind at Knoxville, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred

Insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 130, a bill for an act making appropriation for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 142, a bill for an act making appropriation for the Institution for the Feeble Minded Children at Glenwood, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 138, a bill for an act making appropriation for Benedict Home, Des Moines, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 64, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 160, a bill for an act making appropriation for the State Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 155, a bill for an act making appropriation for the Institute for the Deaf and Dumb at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 204, a bill for an act making appropriation for the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

State Fish Commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 121, a bill for an act to provide for a geological survey of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 95, a bill for an act making appropriation for the penitentiary at Fort Madison, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate file No. 112, a bill for an act to repeal sections 1487 and 1488 of the Code, and enact substitutes therefor.

L. W. LEWIS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 2, a bill for an act entitled "An act relating to the stoppage of rail. way passenger trains," and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 56, a bill for an act to amend section 996 of the Code, relative to the meeting of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 130, a bill for an act to amend section 3727 of the Code, providing for the taking of depositions in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 207, a bill for an act to amend sections 925 and 963 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 336, a bill for an act to amend section 1, chapter 21, laws of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the publication clause, and when so amended that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations to whom was referred, House file No. 106, a bill for an act providing a substitute for chapter six (6), of Title IX. of the Code of 1873, for establishing and governing mutual loan and building associations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Amend section 1, line six, by striking out the words "the members thereof," and inserting in lieu thereof the words "applicants therefor."

Amend section 3 by inserting after the word "such" in the twelfth line the words "full paid," and striking from line fourteen the words "to the members."

Substitute for section 6 the following: "When such corporation loans its funds the members thereof shall have preference in the order of their applications and all funds loaned shall be secured by first liens on real estate or upon the stock of the corporation held by the borrower, but such corporations shall not loan money solely upon its installment shares as security to more than ninety per cent. of the withdrawal value of the shares; *Provided*, That two or more associations under one management may transfer funds from one to the other for the purpose of loaning the same to their members."

Amend section 9, lines six and seven, by striking out the words "in the loan fund, with at least six per cent. interest for the average time of such investment;" strike out in the tenth line the words "in the loan fund;" also strike out the word "eight" in the eleventh line and insert in lieu thereof the word "six;" strike out the words "in the loan fund" in the fourteenth line; after the word "month" in the twentieth line insert the following: "*Provided*, That nothing hereinbefore in this section shall be construed to apply to associations which do not set apart a separate expense fund as contemplated in section 5 hereof."

Amend section 10, line four. by inserting after the words "on the" the word "thirty;" also in the fifth line by striking out the word "January" and inserting in lieu thereof the word "December," and by inserting in line six after the word "president" the words "or vice-president," and inserting after the words "secretary and" the words "attested by."

Strike out section 11.

Amend by substituting for section 12 the following: "The auditor of state, secretary of state and attorney-general, or any two of said officers, shall have power at any time to make or cause to be made an examination of any building and loan association of its state and condition as heretofore provided. which report shall be published, if deemed advisable by said officers, once in some daily or weekly newspaper published in such city or town where such association is located, or if there be no such newspaper published in such city or town, such report shall be published once in some daily or weekly newspaper published elsewhere in the county where such association is located. The expense of such publication shall be paid by such association; *Provided*, That such special report shall not be required nor such examination made oftener than once in six months unless on written application signed by at least ten of the stockholders of said association."

Amend section 15 by striking from the twelfth line the words "auditor of state" and insert in lieu thereof the words "the officers authorized to make such examination or any two of them;" also in the fourteenth line strike out the word "him" and insert in lieu thereof the word "them."

Amend section 16 by striking out the word "ten" in the ninth line and inserting in lieu thereof the word "one."

Amend section 18 by striking out the words "postage prepaid," in line 8, and inserting in lieu thereof the words, "by registered letter."

Amend all sections after section 11 by renumbering.

And that as amended the bill do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

On motion of Senator Harsh, House file No. 147, a bill for an act to allow any city or town now having a superior court to abolish the same in the manner presented by this act with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Harsh moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Dent, Dodge, Everall, Kelly, Kent, Lewis, Palmer, Perry, Smith of Wapello, Turner, Vale—11.

So the bill passed and the title was agreed to.

Senator Groneweg moved to reconsider the vote by which House file No. 147 was declared to have passed the Senate.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Cleveland, Conaway, Dent, Finn, Gardiner, Gatch, Green, Groneweg, Harmon, Hurst, Jewett, Oleson, Reynolds, Rich, Schmidt, Smith of Wright, Mr. President—18.

The nays were:

Senators Andrews, Bolter, Brower, Everall, Funk, Hager, Harsh, Jamison, Kent, Mack, McCall, Parrott, Perkins, Shields, Smith of Butler, Stewart, Yeomans—17.

Absent or not voting:

Senators Bishop, Chantry, Dodge, Engle, Gobble, Kelly, Lewis, Mattoon, Mosnat, Palmer, Perry, Reiniger, Smith of Wapello, Terry, Turner, Vale—16.

So the motion to reconsider was adopted.

Senator Groneweg moved that the vote by which the bill was ordered read a third be reconsidered.

Carried.

Senator Groneweg moved to amend the bill by striking out "of less than 8,000 inhabitants by census of 1890."

Senator Groneweg moved to amend the amendment by inserting after the word "city" in second line of section 1, the following, "organized under the general incorporation laws of this State."

Senator Bolter moved that the bill with amendments be referred to the Committee on Judiciary.

The question now being upon the adoption of the amendment to the amendment.

Lost.

The question now being upon the adoption of the amendment offered by Senator Groneweg.

On this the yeas and nays were demanded.

The yeas were:

Senators Dent, Everall, Finn, Green, Groneweg, Oleson, Reiniger, Rich, Schmidt, Smith of Butler—10.

The nays were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Dodge, Engle, Funk, Gatch, Gobble, Hager, Harmon, Harsh, Jamison, Kent, Lewis, Mack, McCall, Parrott, Perkins, Reynolds, Shields, Smith of Wapello, Smith of Wright, Stewart, Yeomans—27.

Absent or not voting:

Senators Bishop, Cleveland, Gardiner, Hurst, Jewett, Kelly, Mattoon, Mosnat, Palmer, Perry, Terry, Turner, Vale—13.

So the amendment was lost.

The question now being, "Shall the rules be suspended and the bill be read a third time now?"

Carried.

Senator Andrews moved that the reading of the bill be dispensed with, it having been read a third time this morning.

Carried unanimously.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Everall, Funk, Gardiner, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—35.

The nays were:

Senators Dent, Finn, Gatch, Jewett, Rich—5.

Absent or not voting:

Senators Engle, Green, Groneweg, Kelly, Mosnat, Palmer, Perry, Smith of Butler, Turner, Vale—10.

On motion of Senator Harsh, the title was amended by inserting after the word "town" the words, "of less than 8,000 inhabitants according to the census of 1890."

So the bill passed and the title as amended was agreed to.

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote "no" on this bill because it is not a general, but a special law, applying to one city in the State. I am advised that the chief reason for wanting to abolish the court in that town is that the judge who occupies the bench has honestly and fearlessly administered the law, and especially the statutes forbidding the sale of intoxicants as a beverage, and has thus become unpopular with those who favor non-enforcement.

G. L. FINN.

On motion of Senator Reiniger, Senate joint resolution No. 12, a joint resolution for an act to amend article 3 of the constitution by adding section 39, providing for submission of acts passed by the General Assembly to electors of the State for adoption, with report of committee recommending that the resolution do pass, was taken up, considered, and the report of the committee was adopted.

Senator Reiniger moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Harmon, Jamison, Jewett, Mack, McCall, Mosnat, Parrott, Reynolds, Smith of Wright—15.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Kent, Lewis, Mattoon, Oleson, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry—25.

Absent or not voting:

Senators Brower, Funk, Gardiner, Kelly, Palmer, Perkins, Perry, Turner, Vale, Yeomans—10.

So the joint resolution failed of adoption.

On motion of Senator Mack, Senate file No. 225, a bill for an act to repeal section 1579 of the Code, and enact a substitute therefor, providing for publication and sale of the school laws, with report of committee recommending amendments and as amended that the bill do pass, was taken up, considered, and the report of the committee was amended by inserting the word "eighteenth" in lieu of the word "tenth," as same appears in first recommendation of committee, and the amended report was adopted.

Senator Mack moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Funk, Kelly, Palmer, Perry, Reiniger, Turner, Vale—7.

So the bill passed and the title was agreed to.

On motion of Senator Gatch, Senate file No. 196, a bill for an act to amend section 14 and 16, of chapter 168, acts of the Twenty-first General Assembly, with report of committee recommending amendments, and as amended the bill do pass, was taken up and considered, and the report of the committee was adopted.

Senator Harsh took the chair.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Brower, Chantry, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Oleson, Perkins, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—32.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Cleveland, Engle, Everall, Finn, Green, Groneweg, Kelly, Mattoon, Mosnat, Palmer, Parrott, Perry, Reiniger, Shields, Turner, Vale—18.

On motion of Senator Gatch the title of the bill was amended to read as follows: "Sections 14, 16 and 18."

So the bill passed and the title as amended was agreed to.

On motion of Senator McCall, Senate file No. 319, a bill for an act granting cities of the second class in the State all the powers and provisions of chapter 162 of laws of the Seventeenth General Assembly, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator McCall offered the following amendment which was adopted: Amend by adding at the end of line 2 of section 2 the words "or may hereafter be given."

Senator McCall moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Gronweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry—35.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Brower, Engle, Finn, Kelly, Kent, Palmer, Perry, Reiniger, Shields, Smith of Wapello, Turner, Vale, Yeomans—15.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files with amendments in which the concurrence of the Senate is asked:

Senate files No. 35, 135 and 68.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files, in which the concurrence of the House was asked: Senate files Nos. 177, 156 and 8.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the Senate is asked. House files Nos. 471, 475, 423, 112 and 363.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Dodge, Senate file No. 242, a bill for an act to amend section 2, chapter 38, of the acts of the Nineteenth General Assembly relating to the levy of tax for the purpose of creating a general paving fund, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Dodge offered the following amendment, which was adopted:

“Provided: That this act shall not apply to cities having a population according to the census of 1890, in excess of 50,000.”

Senator Dodge moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, “Shall the bill pass?”

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Kent, McCall, Mattoon, Mosnat, Oleson, Parrott, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Yeomans—30.

The nays were:

Senators Groneweg and Reiniger—2.

Absent or not voting:

Senators Andrews, Chantry, Cleveland, Finn, Gardiner, Jamison, Jewett, Kelly, Lewis, Mack, Palmer, Perkins, Perry, Reynolds, Rich, Stewart, Turner, Vale—18.

So the bill passed and the title was agreed to.

At the request of Senator Mattoon, Senator Andrews was excused for to-day.

Senator Reiniger filed the following motion to reconsider the vote by which joint resolution No. 12 was declared to have been lost.

MR. PRESIDENT—I move to reconsider the vote by which joint resolution No. 12 was lost.

ROB'T G. REINIGER,
Senator Forty-fourth District.

March 21, 1892.

On motion of Senator Bailey, Senate file No. 344, a bill for an act to provide for printing and distribution of the Iowa Official Register, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

President Bestow took the chair.

Senator Bailey moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Conaway, Dent, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, McCall Mattoon, Mosnat, Oleson, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Cleveland, Dodge, Finn, Kelly, Kent, Lewis, Mack, Palmer, Perry, Rich, Turner, Vale—13.

So the bill passed and the title was agreed to.

Senator Bailey called up House concurrent resolution relative to printing of *Iowa Official Register*, and on motion the Senate concurred in the resolution.

Senator Perkins moved that when the Senate adjourns it do adjourn to meet at 2 o'clock this afternoon.

Carried.

On motion of Senator Yeomans, Senate file No. 168, a bill for an act supplemental to an act entitled, "An act to regulate admission to practice as attorneys and counsellors in the courts of Iowa," being chapter No. 168 of the Twentieth General Assembly, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Smith of Wapello, offered the following amendments, which were adopted:

Insert the words "or foreign country" after the word "state," in line 8 of section 5, and also add same words at close of said section 5.

Senator Gardiner moved that the Senate continue in session until the bill now under consideration be disposed of.

Carried.

Senator Yeomans moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were.

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Mack, Mattoon, Mosnat, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich. Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Chantry, Finn. Groneweg, Kelly, Lewis, McCall, Palmer. Perry, Schmidt, Shields, Turner, Vale—12.

So the bill passed and the title was agreed to.

The Senate adjourned to meet at two o'clock P. M.

AFTERNOON SESSION.

Senate met as per adjournment, at 2 o'clock P. M.. President Bestow presiding.

Journals of the 16th, 18th and 19th were corrected and approved.

Senator Dodge, from the Committee on Insurance, submitted the following report.

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 90, a bill for an act to prohibit fire insurance companies from pooling or using joint rates, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

W. W. DODGE, *Chairman.*

Ordered passed on file.

Senator Rich, from Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 373, a bill for an act to amend section 814 of the Code of 1873, relative to deducting indebtedness assessed valuation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

THOMAS RICH, *Chairman*.

Ordered passed on file.

On motion of Senator Gatch, House file No. 471, a bill for an act to amend section 1132 of the Code of 1873, as to insurance, was taken up and considered.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Grone-
weg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Cleveland, Kelly, Mattoon, Palmer, Perry, Turner, Vale—9.

So the bill passed and the title was agreed to.

On motion of Senator Funk, the Senate took up Senate file No. 68 for consideration.

The question being, "Shall the Senate concur in the following amendment:" Amend by striking out in line 2 section 1 of the printed bill the word "thirteenth" and insert in lieu thereof the word "thirtieth."

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Grone-
weg, Hager, Harmon, Harsh, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Cleveland, Hurst, Kelly, Mattoon, Palmer, Perry, Reiniger, Turner, Vale—11.

So the Senate concurred in the House amendment.

On motion of Senator Mosnat House file No. 259, a bill for an act to legalize the re-incorporation of the Presbyterian church of Toledo, Tama county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Mosnat moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Green, Groncweg, Hager, Harsh, Hurst, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Bolter, Brown, Gatch, Gobble, Harmon, Jamison, Kelly, Palmer, Parrott, Turner, Vale—12.

So the bill passed and the title was agreed to.

On motion of Senator Parrott, Senate file No. 330, a bill for an act relating to the convict labor at the penitentiaries of the State, with report of committee recommending the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groncweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Engle, Finn, Kelly, Kent, Palmer, Turner, Vale—9.

So the bill passed and the title was agreed to.

On motion of Senator Bishop, Senate file No. 373, a bill for an act to amend section 814 of the Code of 1873, relating to deducting indebtedness from assessed valuation, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bishop moved to amend by striking out the word "second" where it occurs in section 1, and inserting the word "first" in lieu thereof.

Adopted.

Senator Mosnat moved to strike out the words "live stock" at end of second line and inserting in lieu thereof the words "personal property."

Senator Jamison offered the following amendment to the amendment: Amend by inserting after the words "property" the words "and real estate."

The question now being upon the adoption of the amendment to the amendment offered by Senator Jamison.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Conaway, Dodge, Engle, Finn, Funk, Gardiner, Gobble, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wappello, Stewart, Terry, Yeomans—31.

The nays were:

Senators Andrews, Bishop, Cleveland, Dent, Gatch, Harsh, Perkins, Reiniger, Rich—9.

Absent or not voting:

Senators Bolter, Brower, Everall, Green, Kelly, Palmer, Parrott, Shields, Smith of Wright, Turner, Vale—11.

So the amendment to the amendment was adopted.

The question now being upon the amendment offered by Senator Mosnat, as amended.

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Finn, Funk, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—33.

The nays were:

Senators Andrews, Gatch, Parrott, Perkins, Rich—5.

Absent or not voting:

Senators Brower, Everall, Gardinea, Green, Groneweg, Kelly, Palmer, Reiniger, Shields, Smith of Wright, Turner, Vale—12.

So the amendment as amended was adopted.

The question now being, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas were:

Senators Bishop, Conaway, Dent, Engle, Everall, Finn, Funk, Gobble, McCall, Smith of Butler—10.

The nays were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—31.

Absent or not voting:

Senators Brower, Dodge, Kelly, Mattoon, Mosnat, Palmer, Shields, Turner, Vale—9.

So the bill failed of engrossment.

Senator Reiniger explained his vote as follows:

I believe we should have a revision of our entire system of taxation, with the view of equalizing the same, and making it more just. This bill has merits, but if it should become a law as now amended it would reduce the taxable property of the State, for assessment purposes, about \$200,000,000 in value, and nearly double the rate of taxation on the taxable property left, in order to raise the necessary revenue, which, I believe, the people would not favor, and hence I vote "no."

ROBERT G. REINIGER, Senator 44th District.

Senator Lewis offered the following resolution, which went over under the rule:

Resolved, That the Committee on Mines and Mining be instructed to report at to-morrow morning's session on House file No. 275 and Senate files Nos. 289 and 50; House file No. 275 being an act to provide for the payment of wages of workmen employed in mines in the State of Iowa in lawful money of the United States, and to protect said workmen in the management of their own earnings.

MESSAGES FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, March 21, 1892. }

MR. PRESIDENT—I am directed by the Governor to transmit to your honorable body notice of appointment of certain officers.

CLIFFORD D. HAM, *Private Secretary*.

On motion of Senator Shields, the Senate went into executive session at 3:40 o'clock.

The Senate arose from executive session at 4:15 o'clock.

On motion of Senator Gardiner Senate file No. 350, a bill for an act to legalize amendments and renewals of incorporations, with report of committee without recommendation, was taken up and considered.

Senator Engle moved to refer the bill to the Committee on Judiciary. Lost.

Senator Gardiner moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Parrott, Reynolds, Rich, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Yeomans—32.

The nays were:

Senators Engle, Perry, Schmidt, Smith of Wapello—4.

Absent or not voting:

Senators Bishop, Brower, Everall, Finn, Hager, Jamison, Jewett, Kelly, Mosnant, Palmer, Perkins, Reiniger, Turner, Vale—14.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Bailey, by request, Senate file No. 382, a bill for an act providing that any synod, presbytery or conference association for ecclesiastical or religious purposes (with or without incidental, charitable and educational objects) existing in any church or religious denomination, in this and other States, which has become incorporated in any other State, then they may become a corporation of this State by filing a duly attested copy of its articles of incorporation with the Secretary of State.

Read first and second times and referred to Committee on Judiciary.

Senator Stewart filed a motion to reconsider the vote by which Senate file No. 373 failed on engrossment.

On motion of Senator Smith, of Wapello, the Senate adjourned until 9 A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 22nd, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. Frisbie, of Des Moines, Iowa.

Senator Gobble, introduced the following resolution, which went over under the rule.

Resolved, That the appropriation bills having been reported, it shall be in order for the chairman of the committee to call up such bills for consideration at any time, and all orders, special or otherwise, shall give way to the consideration of such appropriation of bills and House messages with appropriation bills.

Senator Finn called up his resolution relative to final adjournment on March 25th.

Senator Yeomans moved to amend by fixing the day of adjournment on March 30, 1892.

The question being, "Shall the amendment offered by Senator Yeomans be adopted?"

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Everall, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Kelly, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—33.

The nays were:

Senators Bolter, Finn, Hurst, Kent, Schmidt—5.

Absent or not voting:

Senators Dent, Dodge, Engle, Gardiner, Gatch, Jewett, Lewis, Mattoon, Reiniger, Shields, Smith of Wapello, Vale—12.

So the amendment was adopted.

The question now being upon the adoption of the resolution as amended.

Carried.

Senator Bailey moved to reconsider the vote by which the resolution as amended was adopted.

Senator Kelly moved to lay the motion on the table.

Carried.

PETITIONS AND MEMORIALS.

Senator Bailey presented petition of members of the Congregational church and the Y. P. S. C. E. of Cresco, Iowa, asking that the Iowa exhibit at the Worlds' Fair be closed on Sunday.

Referred to Committee on Appropriations.

Senator Mattoon presented petition of James O'Brien and 60 other residents of Harpers' Ferry, Allamakee county, Iowa, against the passage of the Shields fish bill.

Referred to Committee on Fish and Game.

Senator Schmidt presented petition of Wm. Turner and 65 others of Davenport, against the passage of the Shields fish bill.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Harsh, Senate file No. 383, a bill for an act to provide a commission to studiously and carefully examine the revenue laws of the State and report necessary and desirable changes to the Twenty-fifth General Assembly.

Read first and second times.

By Senate Committee on Appropriations, Senate file No. 384, a bill for an act to appropriate money to procure for the Governor's room in the capitol a portrait of Ex-Gov. Samuel J. Kirkwood.

Read first and second times.

By Senate Committee on Appropriations Senate file No. 385, a bill for an act making appropriation for the payment of the State and judicial officers and certain expenses of the General Assembly and other bills.

Read first and second times.

By Senator Finn, Senate file No. 386, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

Read first and second times.

By Senator Finn, Senate file No. 387, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into Senatorial Districts.

Read first and second times.

Senator Smith of Wapello, moved to refer to the Committee on Senatorial and Representative Districts.

Lost.

HOUSE BILLS.

Substitute for House file No. 251, a bill for an act to amend section 1 of the 24th chapter of the acts of the Twentieth General Assembly.

Read first and second times and referred to Committee on Railroads.

House file No. 363, substitute for House file No. 173, a bill for an act to amend section 2, chapter 156 of the laws of the Seventeenth General Assembly.

Read first and second times and referred to Committee on Judiciary.

House file No. 112, a bill for an act to amend section 1182, of the Code, and exempting funds realized from life insurance from debts.

Read first and second times and referred to Committee on Judiciary.

House file No. 475, a bill for an act legalizing the revised ordinances of the city of Knoxville, Iowa, in Marion county.

Read first and second times and referred to Committee on Judiciary.

House file No. 423, a bill for an act legalizing the incorporation of the town of Pierson, county of Woodbury, State of Iowa.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Green, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate file No. 346, a bill for an act to provide room for the preservation of the records and chemical laboratory work of the State Board of Health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed, for the reason that a satisfactory understanding has been arrived at between the parties and the custodian of public buildings.

J. A. GREEN, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 335, a bill for an act legalizing the organization and official proceedings of the independent school district of Callender, Webster county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding after the word "organization," in line 5 of the preamble, the following: "Also, doubts having arisen as to due and proper notice being given for the special election not having been posted the required number of days, and, also, as to the election not having been called by the board of directors of the township."

Also, amend by adding after the word "district," fourth line, section 1, the following: "As to giving notice for the special election and the posting of the same the required number of days, and as to the election having been called by the board

of directors of the township, and all other acts of the officers of said independent school district."

And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 404, a bill for an act to legalize the formation of the independent school districts of Pleasant Ridge No. 7 and North River No. 4, Warren township, Keokuk county, and to legalize the acts of the electors, boards of directors and officers thereof.

Also, House file No. 47, a bill for an act to amend section 1752, Code of 1873.

Also, House file No. 79, a bill for an act to legalize the sale of certain land in Lucas county, Iowa, and authorizing patent to issue for the same.

Also, House file No. 140, a bill for an act to legalize the extension and enlargement of the incorporate limits of the incorporate town of Colfax, in Jasper county, State of Iowa.

Also, House file No. 23, a bill for an act to amend chapter 15 of the acts of the Twenty-third General Assembly in relation to special taxes for the improvement of streets in cities existing under special charter, having a certain population, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the Iowa Academy of Sciences.

Also, Senate file No. 174, a bill for an act to increase the number of judges in the Second judicial district.

Also, Senate file No. 39, a bill for an act to increase the number of judges in the Seventh judicial district.

Also, Senate file No. 106, a bill for an act making appropriation for the use and benefit of the Iowa State Dairy Association, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 373, a bill for an act to amend section 814 of the Code of 1873, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 167, a bill for an act to amend section 14, chapter 151, acts of the Eighteenth General Assembly, in relation to Local Boards of Health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be

indefinitely postponed for the reason House file No. 414 pertaining to the same subject has passed that body.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House file No. 414, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 128, a bill for an act to make an appropriation for analysis of suspected waters, food and other substances, and to otherwise increase the efficiency of the State Board of Health, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the bill be referred to Appropriation Committee, and that it do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 216, a bill for an act to prohibit railroad companies from obstructing street crossings and public highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 14, a bill for an act to amend section No. 1288 of the Code of 1873, relating to highway crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 43, a bill for an act to prevent railway companies operating railways in the State of Iowa from compelling their employes to furnish at their own expense any uniform or equipments to be used in the performance of duty as such employes, and providing penalties for violations of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senate file No. 35 was taken up for the consideration of the following House amendment:

Amend by adding after the word "city" in second line of section 1, the following "of the second class or of any incorporated town."

The question being, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Gardiner, Gatch, Kent, Perkins, Reiniger, Vale—6.

So the House amendment was concurred in.

On motion of Senator Stewart, the vote was reconsidered by which Senate file No. 373 was lost on engrossment yesterday. •

Senator Bishop offered the following amendment: Strike out all after the enacting clause and insert the following: Section 1. That section 814 of the Code of 1873 is hereby repealed.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Chantry, Conaway, Engle, Everall, Funk, Jamison, Jewett, McCall, Oleson, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—21.

The nays were:

Senators Andrews, Bailey, Dodge, Finn, Groneweg, Hager, Harmon, Harsh, Hurst, Kent, Lewis, Mack, Palmer, Parrott, Reiniger—15.

Absent or not voting.

Senators Brower, Cleveland, Dent, Gardiner, Gatch, Gobble, Green, Kelly, Mattoon, Mosnat, Perkins, Schmidt, Turner, Vale—14.

So the amendment was adopted.

Senator Bishop moved that the rule be suspended and the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Chantry, Engle, Everall, Funk, Gardiner, Jamison, Jewett, McCall, Mosnat, Oleson, Perkins, Perry, Reynolds,

Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—21.

The nays were:

Senators Andrews, Brower, Cleveland, Dodge, Finn, Gobble, Groneweg, Harmon, Harsh, Kelly, Kent, Lewis, Mack, Palmer, Parrott, Reiniger—16.

Absent or not voting:

Senators Bailey, Conaway, Dent, Gatch, Green, Hager, Hurst, Mattoon, Rich, Schmidt, Shields, Turner, Vale—13.

So the motion to suspend the rule was lost, not having received a two thirds vote.

The question now being: "Shall the bill be engrossed and read a third time to-morrow?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Conaway, Engle, Everall, Funk, Gardiner, Jamison, Jewett, McCall, Mattoon, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—23.

The nays were:

• Senators Finn, Gatch, Gobble, Groneweg, Harmon, Harsh, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Reiniger—13.

Absent or not voting:

Senators Bailey, Brower, Cleveland, Dent, Dodge, Green, Hager, Hurst, Mosnat, Parrott, Perkins, Schmidt, Turner, Vale—14.

So the bill was ordered engrossed.

Senator Finn explains his vote as follows:

MR. PRESIDENT—I vote "no" because the policy of the law should be to tax men on what they really have and not on imaginary property. The person who owes a thousand dollars and has no more than that amount due is worth nothing and has nothing to tax. It is in the interest of the rich who are not in debt and who selfishly want the man who is in debt to pay taxes equally with themselves so as to lighten their own burdens. The man who is forced to sell his property to pay a debt if he sells on time will be compelled to pay taxes on notes which really belong to some one else and will go for his debtors when collected. The principle of burdening debtors ought to be discouraged. Actual property only should be taxed. We should tend in the direction of taxing property actually owned and let personal property be assessed at a fair value and the personal debts be deducted. The merchant who buys goods on time and sells on time simply procures credit for his customers. If he be not allowed to set off one against the other in taxation the tendency will be to compel a cash business, and then the customers will be compelled to borrow of some bank or money sharks at ruinous rates and such lenders in my judgment have a further advantage over the borrowing class.

G. L. FINN.

Senator Lewis called up his resolution relative to having Senate files Nos. 289 and 50; also House file 275, reported to the Senate from the Committee on Mines and Mining.

On motion of Senator Lewis the hour fixed for the special order was extended until the matter now under consideration is disposed of.

Senator Kelly moved, as a substitute, that the Committee on Mines and Mining be instructed to report all bills referred to said committee to the Senate to-morrow morning.

Lost.

Senator Smith of Wapello, moved to reconsider the vote by which the substitute, offered by Senator Kelly, was lost.

The motion prevailed.

The question now being upon the adoption of the substitute offered by Senator Kelly.

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Cleveland, Everall, Gardiner, Gatch, Gobble, Harmon, Kelly, Shields, Smith of Wapello, Yeomans—11.

The nays were:

Senators Andrews, Bailey, Bolter, Conaway, Engle, Funk, Hager, Harsh, Hurst, Jewett, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Stewart—23.

Absent or not voting:

Senators Bishop, Chantry, Dent, Dodge, Finn, Green, Groneweg, Jamison, Mosnat, Palmer, Parrott, Perkins, Rich, Terry, Turner, Vale—16.

So the substitute was lost.

The question now recurs upon the adoption of the original resolution.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Engle, Everall, Harmon, Harsh, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wapello—20.

The nays were:

Senators Brower, Cleveland, Conaway, Dent, Gardiner, Gatch, Gobble, Kent, Smith of Wright, Turner, Yeomans—11.

Absent or not voting:

Senators Bishop, Dodge, Finn, Funk, Green, Groneweg, Hager, Hurst, Jamison, Mosnat, Palmer, Parrott, Perkins, Rich, Schmidt, Shields, Stewart, Terry, Vale—19.

By unanimous consent Senator Andrews was allowed to change his vote from "yea" to "no" on the engrossment of Senate file No. 373.

So the resolution was adopted.

Senator Kelly offered the following resolution:

Resolved, That the President of the Senate appoint a Sifting Committee consisting of eleven members, and when so appointed, all bills other than appropriation bills be referred to said committee, and that no bills, except appropriation bills, be hereafter considered, unless favorably reported by said committee; said reported bills to be taken up by the Senate for consideration in the order in which they are reported.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to request your honorable body to return Senate file No. 135, as a motion to reconsider the vote by which it passed the House.

CHARLES BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, in which the concurrence of the House was asked:

Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg, Benton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of the said town.

Also, that the House has concurred in Senate concurrent resolution, relating to the pardon of Chas. Cook.

CHAS. BEVERLY, *Chief Clerk*.

—Per D. H. SCOTT, *First Ass't*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, 390, 490, 320, 304, in which the concurrence of the Senate is asked:

House file No. 390, substitute for House file 254, a bill for an act to repeal section 24, chapter 52, laws of the Twenty-second General Assembly, and enact a substitute therefor.

House file No. 490, a bill for an act to amend section 1432 of the Code as amended by chapter 76, laws of the Twenty-second General Assembly to authorize the transfer of patients from one hospital of the insane to another.

House file No. 304, a bill for an act to prevent the selling or incumbering of certain exempt personal property without the concurrence of both husband and wife.

House file No. 320, substitute for House files No. 3, 190 and 192, a bill for an act regulating the compensation and duties of justice of peace and constable, and authorizing boards of supervisors to salary them in certain cases.

CHAS. BEVERLY, *Chief Clerk*,

Per D. H. SCOTT, *First Assistant*.

The special order, it being consideration of the World's Fair appropriation bill, was taken up at 11 A. M.

Senator Bolter took the chair.

By request of Senator Shields, the substitute bill for Senate file No. 93, presented by the committee on appropriations was read for information.

On motion of Senator Shields, Senator Harsh was tendered an addi-

tional five minutes in which to further discuss the bill under consideration.

The question now being upon the adoption of the amendment offered by Senator Finn as follows: Strike out \$125,000 and insert in lieu thereof \$100,000.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Engle, Everall, Finn, Funk, Gobble, Groneweg, Hager, Harmon, Jamison, Jewett, Kent, Mack, McCall, Mosnat, Oleson, Palmer, Perkins, Perry, Rich, Smith of Butler, Smith of Wapello, Stewart—26.

The nays were:

Senators Andrews, Brower, Cleveland, Conaway, Dent, Dodge, Gardiner, Gatch, Green, Harsh, Hurst, Kelly, Lewis, Mattoon, Parrott, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Terry, Turner, Yeomans—23.

Absent or not voting:

Senator Vale—1.

So the amendment was adopted.

Senator Perkins explained his vote as follows:

MR. PRESIDENT—Because the wisdom of our Appropriation Committee decided that (for lack of funds) the education and care of the blind and deaf boys and girls of our wealthy State (with no debt) must be restricted, therefore I vote for the minimum sum—one hundred thousand dollars—as per the amendment.

GEO. W. PERKINS,

Senator Seventh District.

The question now being upon the following amendment offered by Senator Reiniger, "Add to section 1 the following: 'provided, that not to exceed \$25,000 of the sum appropriated by this act shall be expended in the erection of buildings.' "

Pending discussion, the amendment offered by Senator Reiniger, the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met as per adjournment at 2 P. M., Lieutenant-governor Bestow, presiding.

The motion pending at the hour of adjournment, being the adoption of the amendment offered by Senator Reiniger, to the world's fair appropriation bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Engle, Everall, McCall, Palmer, Reiniger, Rich, Vale—9.

The nays were:

Senators Andrews, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Perry, Reynolds, Schmidt, Shields, Smith of Wapello, Stewart, Turner, Yeomans—33.

Absent or not voting:

Senators Dodge, Finn, Jewett, Parrott, Perkins, Smith of Butler, Smith of Wright, Terry—8.

So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files in which the concurrence of the Senate is asked:

House file No. 111, a bill for an act to require owners of osage hedge fences to trim the same along the public highways and railways of the State.

Also, That the House has voted to indefinitely postpone substitute for Senate file No. 23, a bill for an act to provide for county local option in the State and manufacture and sale of spirituous, malt and fermented vinous liquors and granting permits therefor.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill with amendments, in which the concurrence of the House was asked:

Senate file No. 51, a bill for an act to protect the breeders of trotting horses and pacing horses and fair associations of the State of Iowa.

CHAS. BEVERLY, *Chief Clerk.*

Senator Bailey offered the following amendment and moved its adoption:

Amend by adding to section 1, the following: "Said sum hereinbefore named is the whole amount to be used and expended by said Columbian Commission; the unexpended appropriation by the Twenty-third General Assembly being considered as covered into the State treasury, and no longer available for the uses of said commission.

Adopted.

Senator Mack moved to reconsider the vote by which the amendment offered by Senator Finn was adopted.

Senator Bolter moved to table the motion to reconsider.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Engle, Everall, Finn, Funk, Groneweg, Hager, Jewett, Kent, McCall, Oleson, Perry, Rich, Smith of Wapello, Stewart—16.

The nays were:

Senators Andrews, Bailey, Brower, Cleveland, Conaway, Dent, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Hurst, Jamison, Kelly, Lewis, Mack, Mattoon, Mosnat, Palmer, Parrott, Reiniger, Reynolds, Schmidt, Shields, Terry, Turner, Vale, Yeomans—29.

Absent or not voting:

Senators Chantry, Dodge, Perkins, Smith of Butler, Smith of Wright—5.

So the motion to lay on the table was lost.

The question now being upon the adoption of the motion to reconsider.

The yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Cleveland, Conaway, Dent, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Hurst, Jamison, Kelly, Lewis, Mack, Mattoon, Mosnat, Parrott, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Terry, Turner, Vale, Yeomans—29.

The nays were:

Senators Bishop, Bolter, Chantry, Engle, Everall, Finn, Funk, Groneweg, Hager, Jewett, Kent, McCall, Oleson, Palmer, Perry, Rich, Smith of Wapello, Stewart—18.

Absent or not voting:

Senators Dodge, Perkins, Smith of Butler—3.

So the vote by which the amendment was adopted was reconsidered.

Senator Vale explained his vote as follows:

MR. PRESIDENT—Being absent when this measure was acted upon it ill becomes me to refuse the re-consideration of so important a measure, and one on which I have not expressed myself in open Senate, owing to absence this morning, I vote "aye."

B. R. VALE.

Senator Gobble filed the following explanation of his vote:

MR. PRESIDENT—I voted for the amendment, which the motion now pending seeks to re-consider, because I was fearful that there were not enough funds in view to appropriate \$125,000 and also appropriate the necessary amount for soldiers' cottages and other purposes of the State. Being assured that there is enough money for this purpose, and believing that \$125,000 can well be expended in advertising the State of Iowa at the World's Fair, I vote "aye."

J. M. GOBBLE,

Senator Twentieth District.

The question now recurring upon the adoption of the amendment offered by Senator Finn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Chantry, Engle, Everall, Finn, Funk, Groneweg, Hager, Harmon, Jamison, Jewett, Kent, McCall, Mosnat, Oleson, Palmer, Perkins, Perry, Rich, Smith of Butler, Smith of Wapello, Stewart, Vale—25.

The nays were:

Senators Andrews, Brower, Cleveland, Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Green, Harsh, Hurst, Kelly, Lewis, Mack, Mattoon, Parrott, Reiniger, Reynolds, Schmidt, Shields, Smith of Wright, Terry, Turner, Yeomans—25.

Absent or not voting:

None.

So the amendment was lost.

Senator Engle filed the following explanation of his vote:

MR. PRESIDENT—I shall vote against an appropriation of \$100,000 for the Chicago show as long as our blind, our idiotic, our feeble-minded children, are not properly cared for. Many of our charitable institutions are suffering for the lack of means. We should appropriate money to build cottages for the families of our veterans of the war instead of donating it to build up Chicago. Our taxes in Iowa are high as compared to the price of products of labor. In my opinion one of the best recommends that our noble State could have is a low tax levy and no State indebtedness. We should be careful how we vote away the people's money.

PERRY ENGLE,

Senator Twenty-ninth District.

Senator Cleveland offered the following resolution and moved its adoption.

Resolved, That no explanation of votes can be made during roll call.

Adopted.

The question now being, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Kelly, Lewis, Mack, Mattoon, Parrott, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—33.

The nays were:

Senators Bishop, Bolter, Engle, Finn, Groneweg, Jamison, Palmer, Rich, Smith of Butler—9.

Absent or not voting:

Senators Everall, Jewett, Kent, McCall, Mosnat, Oleson, Perkins, Stewart—8.

So the bill was ordered engrossed.

On motion of Senator Kent, Senate file No. '307, a bill for an act to amend chapter 18 of the laws of the Twenty-third General Assembly, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the Committee was adopted.

Senator Kent moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Palmer, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Brower, Finn, Gardiner, Groneweg, Jewett, Mosnat, Oleson, Parrott, Reiniger, Stewart,—10.

So the bill passed and the title was agreed to.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 369, a bill for an act repealing that part of section 1, chapter 16, of the laws of the Twenty-second General Assembly relating to the bridge fund and enacting in lieu thereof a law giving the boards of supervisors of the several counties of the State full control of the levying and expending of the bridge fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. TERRY, *Chairman.*

Ordered passed on file.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 106, a bill for an act making appropriation for the use and benefit of the Iowa State Dairy Association.

Also:

Senate file No. 39, a bill for an act to increase the number of judges in the seventh judicial district.

Also:

Senate file No. 174, a bill for an act to increase the number of Judges in the Second Judicial district.

Also:

Senate file No. 184, a bill for an act to provide for the publication of the proceedings of the Iowa Academy of Sciences.

J. J. SMITH, *Chairman.*

President *pro tem* Kelly took the chair.

On motion of Senator Harsh Senate file No. 203, a bill for an act to provide for building cottages for soldiers' wives at the Soldiers' Home at Marshalltown, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was amended by the Secretary, by direction of the Senate, as follows:

By striking out the word "twenty" and inserting in lieu thereof the word "ten," as the same appears in section 1; by striking out the word "ten" and the figures "10" in line two in section 7, and respectively insert the word "five" and figure "5" in lieu thereof; by striking out the word "ten" in line three of said section 7, and inserting the word "five," and by striking out the figures "10" and inserting in lieu thereof the figure "5," and as amended the report of the committee was adopted.

Senator Harsh offered the following amendments, which were adopted:

Amend by inserting after the word "soldiers" in line four, section 4, the words "sailors and marines."

Also:

Amend by inserting after the word "soldiers" in line three, section 4, the words "sailors and marines of."

Also:

Amend by inserting after the word "home," in line 6, section 4, the following: "One of which rules as to wives shall be that each such wife shall have attached to her application for admittance the certificate of approval of the Grand Army Post nearest her place of residence, had and secured in a regular or called meeting of said post."

Also:

Amend by striking out the word "soldiers" in line 7, section 5, and inserting in lieu thereof the word "inmate."

Also:

Amend by inserting after the word "soldiers," in line 2, section 6, the words "sailors and marines."

Also :

Amend by striking out the word "soldiers," in line 6, section 5, and inserting in lieu thereof the word "inmate."

Also:

Amend by inserting after the word "soldiers," in line 5 of section 6, the words "sailors and marines."

Also:

Amend by striking out the "soldiers," in line 6 of section 6.

Also:

Amend by inserting after the word "regulations" in line 7, section 6, the following, "including that named in section 4, concerning approval of nearest Grand Army post.

Senator Andrews offered the following amendment, and moved its adoption:

Amend by adding to section 4 the following: "*Provided*, that the provisions of this act shall apply only to persons who were married prior to the year 1875."

Senator Bailey moved to amend the amendment by striking out the figures "1875" and inserting the figures "1872."

Adopted.

The amendment as amended was adopted.

Senator Gobble moved to reconsider the vote by which the amendments reported by the committee were adopted.

On this the yeas and nays were demanded.

The yeas were:

Senators Engle, Finn, Gobble—3.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Cleveland, Dodge, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Jamison, Jewett, Kent, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—34.

Absent or not voting:

Senators Brower, Chantry, Conaway, Dent, Harsh, Hurst, Kelly, Lewis, Mattoon, Mosnat, Rich, Shields, Yeomans—13.

So the motion to reconsider was lost.

Senator Gobble explained his vote as follows:

MR. PRESIDENT—I vote aye to reconsider, desiring to amend so as to make appropriation for cottages \$8,000 and \$7,000 for support, such amendments having been ruled out of order by the chair. I do not believe that \$5,000 is enough to give the system a fair trial, and I believe the old soldiers prefer the cottage system to a monument at the present time.

J. M. GOBBLE,

Senator Twentieth District.

Senator Turner moved to amend by striking out all of section 5, and changing the numbers of the following sections to correspond.

Lost.

On motion of Senator Brower the vote by which the amendment offered by Senator Turner was lost was reconsidered.

On motion of Senator Brower the amendment offered by Senator Turner was adopted.

Senator Harsh moved to amend the title by inserting after the word "soldiers," in line 2 of title the words, "sailors, marines." Amend by striking out the words, "soldiers' widows" in line 3 of the title and inserting in lieu thereof the words, "the widows of deceased soldiers, sailors and marines." Amend by striking out the word "an" in line 4 of the title, and by pluralizing the word "appropriations" in same line.

Adopted.

On motion of Senator Harsh Senate file No. 203 was ordered engrossed and read a third time to-morrow.

Senator Gobble moved to reconsider the vote by which House concurrent resolution relative to printing additional copies of Iowa Official Register.

Pending action the Senate adjourned until 9 A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 23, 1892. }

The Senate met in regular session at 9 o'clock A. M., President Be-
low presiding.

Prayer by Rev. W. A. Black, of Des Moines, Iowa.

The journals of March 21st and 22nd, were corrected and approved.

PETITIONS AND MEMORIALS.

Senator Oleson presented petition of A. J. Holmes' Camp No. 116,
Rockwell City, asking for the erection of a soldiers' monument.

Referred to Committee on Military.

Senator Mosnat presented petition of John D. Blue and others,
asking that the World's Fair be closed on Sunday.

Referred to Committee on Appropriations.

Senator Mattoon presented petition of Harry Randall and sixty
citizens of Allamakee county, Iowa, against passage of Shields' Fish
bill.

Referred to Committee on Fish and Game.

Senator Mattoon presented petition of G. A. Houg and twenty
other citizens of Allamakee county, Iowa, against passage of Shields'
Fish bill.

Referred to Committee on Fish and Game.

Senator Everall presented four petitions of 234 citizens of Clayton
county, Iowa, against passage of the Shields Fish bill.

Referred to Committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Kelly, Senate file No. 388, a bill for an act to authorize
the erection of certain public buildings on lots or places designated
for use of the public in certain cases.

Read first and second times and referred to Committee on Judiciary.

By Senator Gatch, Senate file No. 390, a bill for an act to legalize
the franchise of the Des Moines Water Power Company, and certain
ordinances of the city of Des Moines, granting, defining and fixing
said franchise.

Read first and second times and referred to Committee on Judiciary.

By Senator Engle, Senate file No. 389, a bill for an act to repeal the last sub-division of section 3061 of the Code, and to enact a substitute therefor, relating to interest on judgments when stay of execution is had.

Read first and second times and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 362, a bill for an act to legalize the incorporation of the independent school district of Duncombe, Webster county, Iowa, and the acts of the officers thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adding after the word "Iowa," at the end of line 2, section 1, the following: Comprising the north one-half of sections three (3) and four (4), and the northeast quarter of section five (5), in township eighty-eight (88), north, range twenty-seven (27), west of the fifth (5) P. M., Iowa, and the south one-half of sections thirty-five (35) and thirty-six (36), in township eighty-nine (89) north, range twenty-seven (27), west of the fifth (5) P. M., Iowa."

Also, amend by adding after the word "valid," at the end of section 1, the following: "The same as if said village had the sufficient number of population as required by law."

And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 380, a bill for an act to legalize an ordinance of Iowa City, granting to the Iowa City Gas Light Company, authority to lay pipe and erect lights in the streets, alleys and public grounds of the city of Iowa City, and legalizing all acts of the officers of said city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 379, a bill for an act to legalize an ordinance of Iowa City granting to the Climax Electric Light Company, authority to erect poles and wires in the streets, alleys and public grounds of Iowa City, etc., and legalizing all acts of the officers of said city, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 376, a bill for an act to legalize the action of the board of supervisors of Warren county in a certain case beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 282, a bill for an act creating and establishing an appellate court and defining the powers and jurisdiction thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator. Bishop, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 366, a bill for an act to establish a school of mines for the State of Iowa, beg leave to report that they have had the same under consideration, and that a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. H. BISHOP, *Chairman*.

Ordered passed on file.

Senator Lewis, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file No. 93, a bill for an act making appropriations for an exhibit of the resources of the State of Iowa at the World's Columbian Exposition of 1893, to be held in the city of Chicago, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

On motion of Senator Mack, Senate file No. 304, a bill for an act to amend chapter 62 of the acts of the Twenty-second General Assembly, in relation to change of boundary lines of independent school districts, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Mack moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner,

Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Green, Hurst, Kelly, Kent, Reiniger, Schmidt, Shields,—7.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the senate is asked:

House files Nos. 150, 505, 441, 247 and 300.

Also, that the House has concurred in the Senate amendment to House file No. 147.

Also, that the House has passed the following Senate files in which the concurrence of the House was asked:

Senate files Nos. 75, 82, 224, 319 and 344.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Chantry, Senate file No. 85, a bill for an act for the relief of Wilber McCabe, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Andrews, the words "section 2299, of the Code of Iowa," in line one were stricken out, and the following inserted in lieu thereof "section 6, chapter 189, acts of the Twentieth General Assembly of Iowa."

Senator Chanty moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Engle, Finn, Funk, Gardiner, Gatch, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Shields, Smith of Butler, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

Senators Bolter, Everall, Groneweg, Kelly, Lewis, Perry, Rich, Smith of Wapello—8.

Absent or not voting:

Senators Bishop, Dent, Dodge, Gobble, Schmidt, Smith of Wright—6.

So the bill passed and the title was agreed to.

Senator Gobble called up his resolution introduced on yesterday, relative to appropriation bills, and moved its adoption.

Adopted.

Senator Perkins called up Senator Kelly's resolution, relative to the appointment of a "sifting committee."

Senator Mack moved to amend by having the committee provided for in said resolutions appointed at close of Friday's session.

Amendment accepted by Senator Kelly.

Carried.

On motion of Senator Reiniger, the resolution as amended was laid over until to-morrow.

On motion of Senator Mosnat, the resolution relative to adjournment on March 23rd, was stricken from the calendar.

Senator Yeomans moved that the House amendments to Senate file No. 51 be concurred in.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Gardiner, Gatch, Gobble, Green, Hager, Harsh, Jamison, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Engle, Funk, Groneweg, Harmon, Hurst, Jewett, Kent, Mattoon—8.

So the House amendments were concurred in by the Senate.

HOUSE BILLS.

House file No. 320, a bill for an act relating to the compensation and duties of justices of the peace and constables, and authorizing boards of supervisors to salary them in certain cases.

Read first and second times and referred to Committee on Judiciary.

House file No. 111, a bill for an act to require owners of osage orange hedge fences to trim same along the public highways and railroads of this State.

Read first and second times and ordered placed on calendar.

House file No. 304, a bill for an act to prevent the selling or incum-

bering certain exempt personal property, without the concurrence of both husband and wife.

Read first and second times and referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

House file No. 490, a bill for an act to amend section 1432 of the Code, as amended by chapter 76, laws of the Twenty-second General Assembly, to authorize the transfer of patients from one hospital for the insane to another.

Read first and second times and referred to Committee on Charitable Institutions.

House file No. 390, substitute for House file No. 254, a bill for an act to repeal section 24, chapter 52, laws of the Twenty-second Assembly, and enact a substitute therefor.

Read first and second times and referred to Committee on Judiciary.

House file No. 300, a bill for an act in relation to the officers and employes, and their duties and compensation.

Read first and second times and referred to Committee on Compensation of Public Officers.

House file No. 247, a bill for an act amending chapter 28, of the acts of the Twenty-third General Assembly, relating to pools and trusts.

Read first and second times and referred to Committee on Insurance.

House file No. 441, a bill for an act appropriating funds to pay the administrator of the estate of William W. Belknap and Amanda T. Belknap, his wife, for services rendered in connection with the collection of the direct war tax.

Read first and second times and ordered placed on the calendar.

House file No. 505, a bill for an act to legalize the organization of the Independent School District of Nassau, Prairie township, Keokuk county, Iowa.

Read first and second times and referred to Committee on Schools.

House file No. 150, a bill for an act to prohibit corporations from issuing stock at less than par, and to prohibit conveyances for the benefit of creditors.

Read first and second times and referred to Committee on Corporations.

BILLS ON THIRD READING.

Senate file No. 67, a bill for an act imposing a tax on corporate franchises and shares of stock, was taken up and considered.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Cleveland, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale—33.

The nays were:

Senators Bailey, Brower, Chantry, Conaway, Finn, Harmon, Jamison, Palmer, Perkins, Reiniger, Schmidt, Turner—12.

Absent or not voting:

Senators Dent, Dodge, Hurst, Jewett, Yeomans—5.

So the bill passed and the title was agreed to.

Senator Perkins explained his vote as follows:

MR. PRESIDENT—Because this bill is evidently intended to legislate for the benefit of corporations already formed, and is designed to cripple such industries as in the future may seek to find a manufacturing home in our State. I vote "No."

GEO. W. PERKINS, *Senator 7th District*

Senate file No. 112, a bill for an act to repeal section 1487 of the Code, and enact a substitute therefor, was taken up and considered.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Dent, Engle, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—43.

The nays were:

Senators Bolter, Kelly—2.

Absent or not voting:

Senators Bishop, Cleveland, Dodge, Gatch, Mattoon—5.

So the bill passed and the title was agreed to.

Senate file No. 2, a bill for an act, entitled an act, relating to the stopping of railway trains, was taken up for consideration.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bolter, Chantry, Funk, Hager, Jewett, McCall, Parrott, Smith of Wright, Stewart, Turner—11.

The nays were:

Senators Bailey, Bishop, Brower, Conaway, Dent, Engle, Everall, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Hurst, Jamison,

Kent, Lewis, Mattoon, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Vale, Yeomans—30.

Absent or not voting:

Senators Cleveland, Dodge, Finn, Groneweg, Hager, Kelly, Mack, Mosnat, Palmer, Reiniger—10.

So the bill was lost.

Senator Reynolds explained his vote as follows:

MR. PRESIDENT—I voted aye upon the engrossment of Senate file No. 2, but, upon a full investigation of the matter, I find that the through lines of railways over our State would be greatly impeded in their efforts to carry passengers and transmit the mails, and compete successfully with other trans-continental lines without our State; furthermore, I find that my constituents would not be benefited by its passage. Therefore I vote, "No."

E. M. REYNOLDS,
Senator Third District.

Senator Bailey explained his vote as follows:

MR. PRESIDENT—After a careful examination of the facts, I find that this bill is evidently intended to compel fast trains known as "flyers," to stop at villages and places (because they are known as county seats,) where no legitimate reasons exist for stopping. I also find these places to be amply supplied with trains that do stop. Believing that the effect of this bill will be to reduce all "fast mails," "lightning expresses" and "flyers" to the level of semi-way trains, and that its passage will be a step backward, I vote "No."

A. K. BAILEY,
Senator Forty-second District.

MR. PRESIDENT—In explanation of my vote I desire to say that, in my opinion, the passage of this bill would almost completely ruin the fast trans-continental railway mail and passenger traffic. The companies are under contract to do a certain thing in a certain time; these trains, therefore, are required to make the fastest possible time to fulfill the company's contract. The passage of this bill will, in my opinion, necessitate the abrogation of these government contracts. I therefore vote "No."

A. B. CONAWAY,
Senator Fourteenth District.

Senate file No. 373, a bill for an act to amend section 814 of the Code of 1873, relative to deducting indebtedness from assessed valuation, was taken up for consideration.

The bill having been engrossed was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Engle, Everall, Funk, Gardiner, Hager, Jamison, Jewett, McCall, Mattoon, Mosnat, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—26.

The nays were:

Senators Andrews, Cleveland, Dent, Gatch, Gobble, Groneweg, Harmon, Harsh, Kelly, Lewis, Mack, Palmer, Parrott, Reiniger, Schmidt, Turner—16.

Absent or not voting:

Senators Dodge, Finn, Green, Hurst, Kent, Oleson, Perkins, Vale—8.

The bill having failed to receive a constitutional majority was declared to have been lost.

Senate file No. 93, a bill for an act making an appropriation for a creditable exhibit of the resources of the State of Iowa, in the Worlds' Columbian Exposition of 1893, to be held in Chicago, was taken up for consideration.

The bill having been engrossed was read a third time.

"On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Hurst, Kelly, Lewis, Mack, Mattoon, Parrott, Reiniger, Reynolds, Schmidt, Shields, Smith of Wapello, Smith of Wright, Terry, Turner, Yeomans—28.

The nays were:

Senators Bailey, Bishop, Bolter, Groneweg, Jewett, McCall, Mosnat, Oleson, Palmer, Perkins, Perry, Rich, Smith of Butler, Stewart—14.

Absent or not voting:

Senators Bailey, Everall, Funk, Hager, Jamison, Kent, Perry, Vale—8.

So the bill passed and the title was agreed to.

Senator Bolter filed the following explanation of his vote :

MR. PRESIDENT—*Sir*, the bill under consideration is at least of doubtful constitutionality, and certainly unwise in its provisions. Will it be insisted that under our constitution and system the Legislature has a right to appropriate money out of the public treasury for such a purpose? If we have the power to appropriate \$125,000 for the World's Fair in a foreign State, then we are equally authorized to appropriate any sum, however large, for a World's Fair in China, or any other remote part of the earth.

In my opinion there is not the slightest doubt but what if a citizen of this State should commence injunction proceedings to restrain the Auditor from issuing his warrant or the Treasurer from paying the warrant if issued, that the courts would sustain such an action. It is unwise for the reason that it contemplates drawing from the public treasury the sum of \$125,000 to be wholly expended in a foreign State; and for the further reason, that the great body of the tax-paying people of the State can in no manner be benefited by such an expenditure.

A few wealthy merchants and manufacturers may obtain favor at the hands of the Commission and be permitted to advertise their wares at the expense of the

State. The great body of the people will not and cannot be so favored. Three years hence and all will admit that whatever sum we thus expended will have been expended without any value in return. It is class legislation in its most vicious form. I cheerfully vote, no.

L. R. BOLTER.

Senator Engle filed the following explanation of his vote:

MR. PRESIDENT—I believe that the appropriation of \$125,000 to the Chicago show is an outrage on the tax-payers of Iowa. I believe that it is an unwarranted and unconstitutional appropriation. I believe that this appropriation is more in the interests of treasury looters and of Chicago than of the tax-payers of Iowa. I therefore vote against this wholesale depletion of our State treasury.

PERRY ENGLE,

Senator Twenty-ninth District.

Senator Gobble took the chair.

Senate file No. 133 was called up for consideration.

The question being: "Shall the Senate reconsider the vote by which the bill was ordered engrossed?"

Carried.

And the vote was reconsidered.

On motion of Senator Brower, Senate file No. 133, a bill for an act to amend the Military Code, and to increase the efficiency of the National Guard, with report of the Appropriations Committee, to which the bill was last referred, recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Brower offered the following amendment, which was lost:

Strike out all in section 7, after the word "following" in the second line, up to the word "each," in line 6.

Senator Brower offered the following amendment, which was adopted:

Strike out in line 4, section 18, "150," and insert "100" in lieu thereof.

Senator Reynolds offered the following amendment, which was lost:

Amend by striking out of line 9, section 10, the figures "\$1.00," and inserting in lieu thereof, the figures "\$1.50."

Senator Brower offered the following amendment, which was adopted:

Strike out, in line 8, section 7, the word "four," after "twenty."

Senator Mack moved that when the Senate adjourns, it do adjourn to meet at 2 o'clock this afternoon.

Carried.

Senator Finn offered the following amendment.

Amend by striking out section 4 of the bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Engle, Finn, Groneweg, Hager, Jamison, Lewis, McCall, Perry, Rich, Smith of Butler—10.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Dent, Dodge, Everall, Funk, Gatch, Gobble, Harsh, Kent, Mack, Mattoon, Palmer, Parrott, Perkins, Reiniger, Reynolds, Shields, Smith of Wapello, Smith of Wright, Terry, Turner, Yeomans—26.

Absent or not voting:

Senators Bishop, Bolter, Cleveland, Gardiner, Green, Harmon, Hurst, Jewett, Kelly, Mosnat, Oleson, Schmidt, Stewart, Vale—14.

So the amendment was lost.

Senator Lewis offered a resolution, allowing the Committee on Mines and Mining until this afternoon in which to make their report as required by resolution adopted yesterday, and that all bills in the hands of said committee be reported to the Senate, with or without recommendation at that time.

On this the yeas and nays were demanded.

Senator Finn moved that the hour for adjournment be postponed until the bill under consideration is disposed of.

Lost.

Senator Lewis moved that the hour of adjournment be postponed until action be taken on his resolution.

Lost.

The Senate adjourned to meet at 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, at 2 o'clock P. M., President Bestow presiding.

Senator Lewis moved that the chairman of the Committee on Mines and Mining be given an extension of time until the morning session of March 24th in which to report.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Chantry, Conaway, Finn, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Wapello—21.

The nays were:

Senators Bolter, Dent, Gardiner, Groneweg, Smith of Butler, Yeomans—6.

Absent or not voting:

Senators Bishop, Brower, Cleveland, Dodge, Engle, Everall, Funk, Gobble, Green, Hurst, Kent, Mack, McCall, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale—23.

So the motion was adopted.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate file No. 203, a bill for an act to provide for the erection of cottages at the Iowa Soldiers' Home for soldiers, sailors and marines and their wives; and also to provide for suitable rooms and accommodations for the widows of deceased soldiers, sailors and marines and their support at said Soldiers' Home, and making appropriations for the same, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Smith, of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 177, a bill for an act to legalize the acts of the board of supervisors of Madison county, Iowa, in relation to refunding its bonded indebtedness.

Also, Senate file No. 68, a bill for an act to amend section 1967, of the Code of 1873, relative to defective acknowledgment of deeds, mortgages and other instruments in writing.

Also, Senate file No. 156, a bill for an act authorizing the location of a highway across land belonging to the state of Iowa, in Buchanan county.

Also, Senate file No. 35, a bill for an act to provide for the compensation of mayors of cities of the second class and incorporated towns when performing the duties of Justices of the Peace, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also :

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 495, a bill for an act to amend chapter 9, Title XII of the Code 1873, by adding thereto, Providing for calling, in certain contingencies, meetings of independent districts.

Also, House file No. 210, a bill for an act relating to the Industrial Home for the Blind at Knoxville, to the board of commissioners thereof, and providing trustees therefor, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Bailey offered the following amendment to Senate file No. 133:

Amend section 4 by striking out of lines 12 and 13 the words "for which extra

services he shall receive additional compensation of \$600 per year"; also, to strike out all of said section after the words "per year," at beginning of line 25.

Adopted.

On motion of Senator Brower, the bill was ordered engrossed, to be read a third time to-morrow.

Senate file No. 203, a bill for an act to provide for building cottages for soldiers' wives at Marshalltown, was taken up for consideration.

The bill, having been engrossed, was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Terry, Turner, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Hurst, Lewis, Parrott, Rich, Smith of Wright, Stewart, Vale—7.

Senator Parrott was excused from voting on this bill.

Senator ——— offered the following amendments to the title:

Strike out the word "of" in line 9, section 4; change figure "6," in line 13, section 6, to figure "5"; insert in line 12, section 6, after the word "soldiers" the words "sailors and marines."

Adopted.

So the bill passed and the title as amended was agreed to.

Senate file No. 101, a bill for an act to provide for attorneys' fees in certain cases, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 212, a bill for an act to amend chapter 72, laws of 1884, relative to selling and leasing the lands belonging to the Iowa State Agricultural College and Farm, with report of committee recommending amendments and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bishop moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Engle, Everall, Funk, Gatch, Gobble, Greene, Hager, Harmon, Harsh, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—41.

The nays were none.

Absent or not voting:

Senators Dent, Finn, Gardiner, Groneweg, Hurst, Jamison, McCall, Rich, Vale.—9.

So the bill passed and the title was agreed to.

Senate file No. 213, a bill for an act to amend section 21, chapter 65 of the acts of the Twenty-first General Assembly, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bishop moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Harsh, Jamison, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Cleveland, Green, Harmon, Hurst, Jewett, Kent, Rich, Vale—8.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Engle presented remonstrance of citizens of Jasper county, Iowa, against passage of Senate file No. 237, appropriating money for support of the Iowa State Band.

Referred to Committee on Appropriations.

On motion of Senator Cleveland, Senate file No. 237, a bill for an act to authorize the executive council to employ the services of the Iowa State Band, and to make an appropriation, with report of com-

mittee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

The bill was read for information.

President *pro tem.* Kelly took the chair.

Senator Gobble moved to amend by adding to section 2, the following: "Said band to be used on all State occasions without expense to the State."

Adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Hurst, Jamison, Jewett, Kelly, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Shields—25.

The nays were:

Senators Andrews, Bishop, Brower, Engle, Everall, Finn, Green, Groneweg, Hager, Lewis, Mosnat, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—18.

Absent or not voting:

Senators Funk, Harmon, Harsh, Kent, Reiniger, Smith of Wright, Vale—7.

So the motion to suspend the rule was lost.

Senator Engle filed the following explanation of his vote on Senate file No. 237:

MR. PRESIDENT—What right can we have to appropriate the hard-earned taxpayers' money to a private band corporation? It is another looting of the treasury in the interest of the few and against the many.

PERRY ENGLE,
Senator 29th District.

President Bestow took the chair.

The question now being, "Shall the bill be engrossed and read a third time to-morrow?"

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Gardiner, Gatch, Gobble, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Shields, Smith of Wright, Vale—29.

The nays were:

Senators Andrews, Engle, Everall, Funk, Green, Groneweg, Hager,

Lewis, Mosnat, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—16.

Absent or not voting:

Senators Bishop, Brower, Harsh, Reiniger, Reynolds—5.

So the bill was ordered engrossed.

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote to engross the bill on the theory that the vote may be reconsidered and the bill so amended that the band may be connected in some way with, or have such relation to the State that an appropriation may be justified. If this band belonged to the military department, or was subject in some way to State control, so that regulations or requirements for its conduct could be provided in securing efficiency and service, an appropriation might be asked. The mere requirement that a band must have thirty pieces to receive four thousand dollars is making a condition which may be of no value at all. The present leader and membership may be of excellency, but there is no guarantee of its continuance, and no standard of attainment is fixed or required, so that the money may be bestowed and thrown away on what may become a discredit to the State.

G. L. FINN.

Senator Turner moved to reconsider the vote by which Senate file No. 373, was lost.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Chantry, Conaway, Dent, Dodge, Engle, Everall, Funk, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, McCall, Mattoon, Oleson, Palmer, Perkins, Perry, Reynolds, Rich, Shields, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—32.

The nays were:

Senators Andrews, Bailey, Gobble, Kelly, Kent, Lewis, Mack, Reiniger, Schmidt, Smith of Butler—10.

Absent or not voting:

Senators Cleveland, Finn, Gardiner, Gatch Green, Harsh, Mosnat, Parrott—8.

So the motion to reconsider was adopted.

The question now being, shall the bill pass?

The yeas were:

Senators Bishop, Bolter, Brower, Chantry, Conaway, Dodge, Engle, Everall, Funk, Gardner, Hager, Hurst, Jamison, Jewett, McCall, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—32.

The nays were:

Senators Andrews, Cleveland, Finn, Gatch, Gobble, Groneweg, Har-

mon, Harsh, Kelly, Kent, Lewis, Mack, Parrott, Reiniger, Schmidt—15.

Absent or not voting:

Senators Bailey, Dent, Green—3.

On motion of Senator Bishop the title was amended to read: "A bill for an act to repeal section 814 of the Code of 1873."

So the bill passed and the title as amended was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills Nos. 166, 179, 459, in which the concurrence of the Senate is asked:

House file No. 166, a bill for the relief of W. A. Shaw.

House file No. 330, a substitute for House file No. 179, a bill for an act to establish the office of township clerk and township trustees in certain cases.

House file No. 459, a bill for an act to amend section 9, chapter 65, acts of the Twenty-first General Assembly.

CHARLES BEVERLY, *Chief Clerk.*

PER D. H. SCOTT, *First Assistant.*

On motion of Senator Cleveland, Senate file No. 138, a bill for an act making an appropriation for the Benedict Home at Des Moines, with report of committee recommending a substitute and that said substitute do pass was taken up, considered and the report of the committee was adopted.

Senator Mack, moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Shields, Smith of Wright, Stewart, Terry, Turner, Yeomans—38.

The nays were:

Senators Bishop, Bolter, Engle, Green, Groneweg, Smith of Butler, Smith of Wapello—7.

Absent or not voting:

Senators Brower, Everall, Rich, Schmidt, Vale—5.

So the bill passed and the title was agreed to.

Senator Green explained his vote as follows:

MR. PRESIDENT—I vote "no" for the reason it is not a State institution and is not constitutional to vote State moneys to private institutions, no matter how meritorious it may be, while I do not wish to be understood that it is not charitable. I

would rather give out of my private funds than vote the people's money away, which I was sent here to guard. I vote "no."

J. A. GREEN.

Senator Engle explained his vote as follows:

This is certainly a charitable institution, and I believe is doing good work in caring for the unfortunates of the State. As it is a private institution and not under the control of the State, the State having no jurisdiction over the same, I shall oppose this bill. If this was a State hospital I would vote "yea." I am not authorized by my constituents to vote the tax-payers' money to private institutions. I vote "no."

PERRY ENGLE,
Senator Twenty-ninth District.

Senator Groneweg moved that the senate do now adjourn.

Senator Kelly moved to amend by the hour of adjournment 7:30 P. M., this evening.

On the amendment the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Cleveland, Conaway, Dodge, Engle, Harsh, Jamison, Kelly, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Smith of Wapello, Terry, Turner—18.

The nays were:

Senators Andrews, Bolter, Dent, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Kent, McCall, Mattoon, Perkins, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Yeomans—25.

Absent or not voting:

Senators Brower, Chantry, Jewett, Reiniger, Rich, Vale—6.

So the amendment was lost.

The question now being upon the adoption of the motion to adjourn, made by Senator Groneweg, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 24th, 1892. }

Senate met pursuant to adjournment, President Bestow presiding.

Prayer by Rev. B. F. W. Cozier, of Colfax, Iowa.

Senator Mattoon was excused on account of sickness, and is paired with Senator Bailey for to-day.

PETITIONS AND MEMORIALS.

Senator Harmon presented petition of citizens of Delaware county and members of the W. C. T. U. favoring closing World's Fair on Sunday.

Referred to Committee on Appropriations.

Senator Bishop presented petition of citizens Sioux county, Iowa, favoring establishment of a reformatory prison for fallen women.

Referred to Committee on Penitentiaries and Pardons.

Senator Conaway presented petition of 316 citizens of Mahaska county, asking the Twenty-fourth General Assembly to pass a law having coal that is mined in the State weighed before being screened; that miners be paid weekly; and other matters.

Referred to Committee on Ways and Means.

Senator Dent presented petition of members of the Y. P. S. C. E., of Marcus, Iowa, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Rich, Senate file No. 391, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, Carroll county, Iowa.

Read first and second times and referred to Committee on Judiciary.

By Senator Reynolds, by request, Senate file No. 392, a bill for an act to appropriate money for the relief of John L. Brown.

Read first and second times.

By Senate Committee on Ways and Means, Senate file No. 393, a bill for an act to require the assessment of all taxable property at the cash market value, to decrease the rates of levies in proportion to any consequent increase of taxable valuation, and to further limit the

powers of counties and other political and municipal corporations to incur indebtedness.

Read first and second times and ordered placed on calendar and set for special order March 23rd, 1892, at 3 o'clock P. M.

By Senate Committee on Judiciary, Senate file No. 394, a bill for an act to increase the members and judges of the supreme court, and to further define the duties of such court.

Read first and second times, ordered printed and placed on calendar.

By Senator Andrews, Senate file No. 395, a bill for an act to legalize the ordinances of the city of Perry, Dallas county, Iowa.

Read first and second times and referred to Committee on Judiciary.

COMMITTEE REPORTS.

Senator Bailey, from the Committee on Mileage, submitted the following report:

MR. PRESIDENT—The undersigned, Committee on Mileage, appointed January 15, 1892, beg leave to present a report, supplemental to that made on page 25 of the Senate Journal for January 15th.

That there is due Lieutenant-Governor Bestow for mileage, 58 miles and return at 5 cents per mile, the sum of \$5.80.

Respectfully submitted,

A. K. BAILEY, *Chairman.*

J. J. MOSNAT.

GEO. W. PERKINS.

March 23, 1891.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 24, a bill for an act fixing the liability of sleeping car companies for the loss or damage to personal property carried by them; fixing the rate of charges and providing punishment for violations of this act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 269, a bill for an act requiring railroad companies to employ experienced persons to operate locomotive engines and providing penalties for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 291, a bill for an act to repeal chapter 32, laws of the Twenty-second General Assembly, entitled, "An act to authorize certain cities to require the erection and construction of viaducts over or under railroads on public streets, and to provide compensation to owners of property, dwelling on such streets, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 139, a bill for an act to amend chapter No. 17, of the acts of the Twenty-third General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 150, a bill for an act to amend section three (3), chapter seventy-seven (77), acts of the Seventeenth General Assembly, relating to the powers and duties of the Board of Railroad Commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Senator Mosnat, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred memorial of J. L. Brown, introduced January 25, '92, for the relief of John L. Brown, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. J. MOSNAT, *Chairman*.

Ordered passed on file.

Senator Smith, of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 68, a bill for an act to amend section 1967, of the Code of 1873, relative to defective acknowledgement of deeds, mortgages, and other instruments in writing.

Also, Senate file No. 177, a bill for an act to legalize the acts of the board of supervisors of Madison county, Iowa, in relation to refunding its bonded indebtedness.

Also, Senate file No. 156, a bill for an act authorizing the location of a highway across land belonging to the state of Iowa in Buchanan county.

Also, Senate file No. 35, a bill for an act to provide for the compensation of mayors of cities of the second class and incorporated towns, when performing the duties of justices of the peace.

J. J. SMITH, *Chairman*.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, to whom was referred Senate file No. 237, bill for an act to authorize the executive council to employ the Iowa State Band, and to make an appropriation for its better equipment, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 282, a bill for an act creating and establishing an appellate court and defining the powers and jurisdiction thereof, which has been reported back to the Senate with the recommendation that the same be indefinitely postponed, and your committee being of the unanimous opinion that some relief should be afforded the supreme court, beg leave to report that they have prepared a substitute therefor which accompanies this report, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 37, a bill for an act relating to the assessment of moneys and credits, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the subject matter of said Senate file No. 37 has been incorporated into a general bill which has been favorably recommended by the joint committee of Ways and Means of the Senate and House. Therefore, your sub-committee recommend that Senate file No. 37 be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 34, a bill for an act to better equalize taxation and to instruct assessors in performing their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that owing to the fact that the subject matter treated of Senate file 34, has been incorporated in a general bill effecting the matter of an equalization in taxation. Your committee therefor, recommend that Senate file 34 be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 41, a bill for an act to relieve property from double taxation, and taxing the interests of lien-holders in real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the subject matter of said Senate file has been incorporated into a general bill, which has been recommended favorably by the Joint Committees of Ways and Means of the Senate and House. Therefore, your committee recommend that Senate file 41 be indefinitely postponed.

WM. GRONEWEG, *Chairman.*

Ordered passed on file.

Senator Stewart, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 290, a bill for an act to amend section 7, chapter 21, laws of the Twentieth General Assembly, relating to the mapping of mines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOEL STEWART, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred House file No. 275, a bill for an act to provide for the payment of wages of workmen employed in mines in the State of Iowa, in lawful money of the United States, and to protect said workmen in the management and control of their own earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOEL STEWART, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 50, a bill for an act to establish a uniform system of weighing coal at the mines of this State, and to punish certain irregularities connected therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JOEL STEWART, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 289, a bill for an act to provide for the use of a uniform screen at coal mines, for bi-weekly payment of coal miners, and for other purposes, and to punish for violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

JOEL STEWART, *Chairman.*

Ordered passed on file.

Senator Reiniger introduced the following resolution:

Resolved, That the following be adopted as a rule of the Senate:

There shall be a committee clerk for each committee room, whose duty it shall be to perform the duties of clerk for all the committees who meet in the room. In rooms where more than one committee meets, the clerk shall be selected by the chairmen of the committees who meet in the room, and in rooms where only one committee meets the clerk shall be appointed by the committee, as provided by the present rules.

Passed over under the rules.

Senator Conaway introduced the following resolution:

Resolved, That it is the sense of this Senate that Senate file No. 307, an act in relation to automatic car couplers and air brakes, and granting railroads more time to make the application of such appliances, passed this Senate through a misapprehension; we would therefore ask that it be re-called from the House, and as the time for considering the same under the rules has passed, we request that this special rule be suspended and the same be reconsidered at this time.

On motion of Senator Cleveland Senate file No. 64, a bill for an act to make appropriation for the Hospital for Insane, at Mt. Pleasant, Iowa, with report of committee recommending a substitute, and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Palmer moved to amend by striking out line six in line eight and change "\$8,000" to "\$10,000."

Senator Lewis moved to amend by striking out the number "2,000."
Lost.

The question being on the amendment offered by Senator Palmer, it was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle, Lewis, Mattoon, Rich, Shields, Smith of Wapello, Stewart—9.

So the bill passed and the title was agreed to.

Senator Finn called up the resolution relative to appointment of a sifting committee.

The question now being upon the resolution for the appointment of a sifting committee, as amended by Senator Mack.

Adopted.

On motion of Senator Cleveland, Senate file No. 79, a bill for an act making an appropriation for the Hospital for the Insane at Independence, Iowa, with report of committee recommending a substitute and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Finn, Hurst, Mattoon, Stewart—6.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 142, a bill for an act making an appropriation for the institution of Feeble Minded Children at Glenwood, Iowa, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Brower, Gardiner, Hurst, McCall, Mattoon—5.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 130, a bill for an act making an appropriation for the Soldiers' Orphans' Home at Davenport, Iowa, with report of committee recommending a substitute and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Grone-
weg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent,
Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry,
Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith
of Wright, Terry, Turner, Vale—41.

The nays were:

None.

Absent or not voting:

Senators Bailey, Bishop, Bolter, Engle, Mattoon, Reiniger, Shields,
Stewart, Yeomans—9.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, 13, 113, 200, 305, in which the concurrence of the House was asked:

Senate file 13, a bill for an act to apply the provisions of chapter 58, Twentieth General Assembly and amendments.

Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected, three years.

Senate file No. 200, a bill for an act to amend section 1 of chapter 63 of the acts of the Twenty-first General Assembly, as amended by chapter 108 of the acts of the Twenty-second General Assembly.

Senate file No. 305, a bill for an act to legalize an ordinance of the city of Clinton, Iowa.

CHAS. BEVERLY *Chief Clerk,*

PER D. H. SCOTT, *First Assistant.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills No. 213, 258, 379, 504, in which the concurrence of the Senate is asked:

House file No. 213, a bill for an act to amend section 936, of the Code of 1873, as amended by chapter 109, of the Nineteenth General Assembly, in relation to the establishment of highways.

House file No. 238, a bill for an act to repeal section 1495 of the Code, as amended by chapter 95 of the Twenty-second General Assembly, and to enact a substitute therefor, and to so amend section 1508 of the Code as amended by chapter 95 of the Twenty-second General Assembly, in relation to partition fences.

House file No. 379, a bill for an act to amend section 3, of chapter 34, of the acts of the Twenty-third General Assembly, in relation to the preservation of game and fish.

House file No. 504, a bill for an act to legalize ordinances of the town of Clarinda, Page county, Iowa.

CHAS. BEVERLY, *Chief Clerk*,

PER D. H. SCOTT, *First Ass't*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 82, a bill for an act to regulate the liabilities of insurance companies.

House file 110, a bill for an act to prohibit cousins from uniting in marriage with each other.

House file No. 199, a bill for an act to amend chapter 97 of the acts of the Twenty-first General Assembly, relation to exemptions from taxation.

House file No. 246, a bill for an act to prevent and punish the improper use of money at Elections.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate substitute in which the concurrence of the House was asked:

Senate Substitute for House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public officers, to regulate the manner of holding elections and to enforce secrecy of the ballot.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the Senate is asked:

House substitute for House file No. 202, a bill for an act making an appropriation for the penitentiary at Ft. Madison, Iowa.

Substitute for House file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for additional permanent endowment and additional contingent fund for the same.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate file, in which the concurrence of the House was asked:

Senate file No. 323, a bill for an act to protect the makers of negotiable instruments in certain cases.

CHARLES BEVERLY, *Chief Clerk*.

HOUSE MESSAGES.

House file No. 504, a bill for an act to legalize ordinance No. 75, of the town of Clarinda, Iowa.

Read first and second times and referred to Committee on Judiciary.

House file No. 213, a bill for an act to amend section 1936 of the Code of 1873, as amended by chapter 109 of the acts of the Nineteenth General Assembly, in relation to the establishment of highways.

Read first and second times and referred to Committee on Highways.

House file No. 379, a bill for an act to amend section 3 of chapter 34 of the acts of the Twenty-third General Assembly relative to the preservation of game and fish.

Read first and second times and referred to Committee on Fish and Game.

House file No. 330, a bill for an act to abolish the office of township clerk and township trustees in certain cities.

Read first and second times and referred to Committee on Cities and Towns.

House file No. 166, a bill for an act for the relief of W. A. Shaw.

Read first and second times and ordered on calendar without reference.

House file No. 238, a bill for an act to repeal section 495 of the Code as amended by chapter 95 of the Twenty-second General Assembly, and to enact a substitute therefor, and to amend section 1508 of the Code as amended by chapter 95 of the Twenty-second General Assembly, relative to partition fences.

Read first and second times and referred to Committee on Judiciary

House file No. 264, a bill for an act to amend sections 505 and 532 of the Code of 1873, in relation to the appointment of city marshals of cities of the second class and incorporated towns, and their deputies and police.

Read first and second times and referred to Committee on Cities and Towns.

House file No. 459, a bill for an act to amend section 9, chapter 65, acts of the Twenty-first General Assembly.;

Read first and second times and ordered placed on calendar, and on motion was substituted for Senate file No. 341.

House file No. 110, a bill for an act to prohibit cousins to unite in marriage with each other.

Read first and second times and referred to Committee on Judiciary.

House file No. 246, a bill for an act to prevent and punish the improper use of money at elections.

Read first and second times and referred to Committee on Elections.

House file No. 199, a bill for an act to amend chapter 97, acts of the Twenty-first General Assembly, relating to exemption from taxation.

Read first and second time and referred to Committee on Ways and Means.

House file No. 202, a bill for an act making appropriations for the penitentiary at Fort Madison, Iowa.

Read first and second times and referred to Committee on Appropriations.

House file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for an additional permanent endowment and additional contingent fund for the same.

Read first and second times and referred to Committee on Appropriation.

House file No. 82, a bill for an act to regulate the liability of insurance against loss or damage by fire.

Read first and second times and referred to Committee on Insurance.

On motion of Senator Cleveland Senate file No. 143, a bill for an act making an appropriation for the Industrial Home for the Blind at Knoxville, Iowa, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gobble moved to strike out \$10,000 proposed to be appropriated for salaries of officers, etc., and insert \$7,000; also to strike out \$3,000 proposed for material for manufactures and insert \$2,000.

Lost.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack,

McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Engle, Hager, Hurst, Mattoon, Reiniger, Stewart, Terry—9.

So the bill passed and the title was agreed to.

Senator Groneweg moved that Senate file No. 393 be made a special order for Friday, March 25th, at 2:30 o'clock P. M., and that when the Senate adjourns to-morrow that it do adjourn to meet at 2 o'clock P. M.

Carried.

On motion of Senator Cleveland, Senate file No. 155, a bill for an act making appropriations for the Institution of the Deaf and Dumb at Council Bluffs, Iowa, with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and on motion of Senator Bailey the third reading was dispensed with, the bill having just been read for information.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Smith of Butler, Smith of Wright, Smith of Wapello, Stewart, Terry, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Dent, Engle, Hurst, Kent, Mattoon, Reynolds, Shields, Turner—10.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 158, a bill for an act making an appropriation for the better support of the Iowa State University at Iowa City, Iowa, with report of committee recommending a substitute, and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Jamison, Jewett, Kelly, Lewis, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Turner, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Chantry, Harsh, Hurst, Kent, Lewis, Mattoon, Reiniger, Reynolds, Smith of Wright, Stewart, Terry—13.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 160, a bill for an act making an appropriation for the State Agricultural College with report of committee recommending a substitute and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bishop moved that the consideration of the bill be postponed until Saturday afternoon and that a committee of three practical farmers, members of this Senate, be appointed to visit the Agricultural College and model farm, said committee to report to the Senate Saturday morning.

Senator Lewis moved to table the motion.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Cleveland, Funk, Gardiner, Gatch, Harmon, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perry, Reiniger, Reynolds, Smith of Wright, Turner, Vale—22.

The nays were:

Senators Bishop, Bolter, Dent, Dodge, Engle, Everall, Gobble, Greene, Groneweg, Hager, Jamison, Jewett, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—19.

Absent or not voting:

Senators Brower, Chantry, Conaway, Finn, Hurst, Mattoon, Palmer, Perkins, Shields—9.

So the motion to lay on the table prevailed.

Senator Bailey explained his vote as follows:

MR. PRESIDENT—I vote “Aye” because no reason whatever is offered for the proposed investigation.

A. K. BAILEY.

Senator Bishop offered the following amendment, which was withdrawn after discussion:

Strike out \$3,000, amount to be appropriated for repairing and extending the steam heating and electric light plant.

Also, strike out \$1,000 amount to be appropriated for repairing and extending the water works.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, “Shall the bill pass?”

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Conaway, Dent, Dodge, Finn, Funk, Gardiner, Gatch, Goble, Green, Groneweg, Hager, Harmon, Harsh, Jewett, Kelly, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—37.

The nays were:

Senator Rich—1.

Absent or not voting:

Senators Bishop, Bolter, Brower, Engle, Everall, Hurst, Jamison, Mattoon, Mosnat, Shields, Schmidt, Stewart—12.

So the bill passed and the title was agreed to.

The journal of March 23d was corrected and approved.

Senator Kelly moved that House file No. 82 be placed on the calendar.

Senator Reiniger moved to amend by having the bill referred to the Committee on Insurance.

Pending discussion the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President *pro tem* Kelly presiding.

INTRODUCTION OF BILLS.

By Senator Yoemans.

Senate file No. 396, a bill for an act to authorize the manufacture and sale of intoxicating liquors for medicinal, mechanical, culinary and sacramental purposes and shipment out of the state.

Read first and second times and ordered on calendar.

Senator Jamison offered the following resolution and moved its adoption:

Resolved, That the Committee on Cities and Towns be and is hereby instructed by the Senate to report back to the Senate, not later than March 25th, House file No. 472, substitute for House file No. 303.

Adopted.

Senator Stewart offered the following resolution:

Resolved, That Senate file No. 373 be recalled from the House.

Senator Bishop moved to lay the resolution on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Engle, Everall, Funk, Hager, Jamison, Jewett, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—22.

The nays were:

Senators Andrews, Cleveland, Dent, Dodge, Finn, Gardiner, Gatch, Gobble, Groneweg, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Reiniger, Stewart, Yeomans—22.

Absent or not voting:

Senators Green, Harmon, Hurst, Mattoon, Schmidt, Shields—6.

So the motion to lay on the table was lost.

The question now being on the adoption of the resolution offered by Senator Stewart.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Cleveland, Dent, Dodge, Gardiner, Gatch, Gobble, Groneweg, Harmon, Harsh, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Palmer, Parrott, Reiniger, Stewart, Yeomans—21.

The nays were:

Senators Bailey, Bishop, Bolter, Brower, Chantry, Engle, Everall, Funk, Hager, Jamison, Jewett, Perkins, Perry, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—20.

Absent or not voting:

Senators Conaway, Finn, Green, Hurst, McCall, Mattoon, Reynolds, Schmidt, Shields—9.

So the resolution was adopted.

Senator Oleson introduced the following resolution:

Resolved, That the Senate hold an evening session to-night at 7:30 o'clock for the purpose of taking up legalizing acts and bills recommended for indefinite postponement, where there are no objections.

Adopted.

On motion of Senator Cleveland, Senate file No. 226, a bill for an act making appropriation for the Hospital for Insane, at Clarinda, Iowa, with report of committee recommending a substitute, and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelley, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Hurst, Kent, Mattoon, Rich, Schmidt, Shields, Stewart, Terry—9.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 317, a bill for an act making an appropriation for the Soldiers' Home at Marshalltown, Iowa, with report of committee recommending a substitute, and that

said substitute do pass, was taken up, considered, and the report of committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Finn, Gardiner, Hurst, Mattoon, Schmidt, Shields, Stewart, Terry—10.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland Senate file No. 192, a bill for an act appropriating funds for the State Fish Commission, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gatch, Green, Hager, Harmon, Harsh, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Terry, Turner, Vale—33.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Finn, Gardiner, Gobble, Groneweg, Hurst, Jamison, Jewett, Kelly, Mattoon, Mosnat, Perkins, Shields, Smith of Wapello, Stewart, Yeomans—17.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 381, a bill for a act to provide for conducting the office of State dairy commissioner and

for paying the expenses thereof, was taken up, considered, and the bill was read for information.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland Conaway, Dent, Engle, Finn, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—36.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Dodge, Everall, Gardiner, Gatch, Hurst, Jamison, Kelly, Mattoon, Rich, Shields, Stewart, Yeomans—14.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland Senate file No. 363, a bill for an act making an appropriation for the State Library, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Engle, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, McCall, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Dent, Dodge, Everall, Finn, Gardiner, Hurst, Mack, Mattoon, Mosnat, Palmer, Rich, Schmidt, Shields, Stewart—16.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House

has passed the following House files, in which the concurrence of the Senate is asked:

Substitute for House file No. 177, a bill for an act making an appropriation for the penitentiary at Anamosa, Iowa.

House file No. 182, a bill for an act making appropriation for the Iowa Industrial School, girls' department, at Mitchellville, Iowa.

CHARLES BEVERLY, *Chief Clerk*.

Also :

MR. PRESIDENT—I am directed to return to your honorable body the following Senate bill as requested:

Senate file No. 373, a bill for an act to repeal section 814 of the Code of Iowa.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files, in which the concurrence of the Senate is asked:

Substitute for House file No. 215, a bill for an act to aid the State Historical Society of Iowa.

Substitute for House file No. 282, a bill for an act making an appropriation for the College for the Blind at Vinton, Iowa.

Substitute for House File No. 237, a bill for an act to appropriate money for the support of the Boys' Department of the Iowa Industrial School at Eldora, Iowa.

CHARLES BEVERLY, *Chief Clerk*.

On motion of Senator Cleveland, Senate file No. 287, a bill for an act providing support of the Iowa Weather and Crop Service and the publication of an increased number of copies of the Monthly Review, with report of Committee recommending amendment and as amended the bill to pass was taken up, considered, and the report of the Committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Terry, Turner, Vale, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Hurst, Kelly, Mattoon, Rich, Shields, Smith of Wright, Stewart—7.

So the bill passed and the title was agreed.

By request of Senator Perry, committee substitute for Senate file No. 259 was referred back to the committee.

By request of Senator Bolter, Senate file No. 311 was referred back to the Committee on Judiciary.

Senator Perkins took the chair.

Senator Stewart filed a motion to reconsider the vote by which Senate file No. 373 passed the Senate.

On motion of Senator Cleveland, Senate file No. 161, a bill for an act making appropriation for the annual payment of water rates of Soldiers' Orphans' Home, and Home for Indigent Children, at Davenport, Iowa, with report of committee recommending amendments, and as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jewett, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Brown, Brower, Conaway, Finn, Gardiner, Hurst, Jamison, Kelly, Kent, Mattoon, Shields, Stewart, Yeomans—12.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate file, in which the concurrence of the House was asked:

Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa, the motion to reconsider having been withdrawn.

CHAS. BEVERLY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate file, in which the concurrence of the House was asked:

Senate file No. 194, a bill for an act to establish a board of park commissioners in certain cities of the first-class, defining their powers and prescribing their duties.

CHAS. BEVERLY, *Chief Clerk.*

Per T. J. WILCOX, *2d Ass't Clerk.*

On motion of Senator Cleveland, Senate file No. 364, a bill for an act to make an appropriation for the purpose of completing the frescoing and wall painting and wood finishing of capitol building, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lewis offered the following amendment: Amend line 2, section 2, by striking out the words "Custodian of the capitol" and insert the words "executive council."

The yeas and nays were demanded.

The yeas were:

Senators Andrews, Engle, Finn, Funk, Hager, Harmon, Harsh, Jamison, Lewis, Mack, Parrott, Reiniger, Smith of Butler, Turner—14.

The nays were:

Senators Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Kelly, Kent, Mosnat, Oleson, Palmer, Perkins, Perry, Rich, Schmidt, Smith of Wapello, Stewart, Terry, Yeomans—25.

Absent or not voting:

Senators Bailey, Chantry, Groneweg, Hurst, Jewett, McCall, Mattoon, Reynolds, Shields, Smith of Wright, Vale—11.

So the amendment was lost.

On motion Senator Turner the amount, \$20,000 was stricken out, and \$10,000 inserted in lieu thereof.

President *pro tem.* Kelly took the chair.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators, Andrews, Bailey, Bishop, Brower, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Kelly, Kent, Mack, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Stewart, Turner, Vale, Yeomans—29.

The nays were:

Senators Bolter, Chantry, Engle, Finn, Lewis, Palmer, Smith of Wright—8.

Absent or not voting:

Senators Groneweg, Harmon, Harsh, Jamison, Jewett, McCall, Mattoon, Parrott, Reiniger, Schmidt, Shields, Terry—13.

So the bill passed, and the title was agreed to.

Senator Engle filed the following explanation of his vote:

MR. PRESIDENT—I am opposed to voting twenty thousand dollars to frescoing and decorating the basement of the Capitol building so long as farmers are selling fat cattle at one and one half cents per pound, and the feeble minded children and insane are crowded for room and not sufficiently provided for, I vote "no."

PERRY ENGLE,
Senator Twenty-ninth District.

On motion of Senator Cleveland the Senate adjourned until 7:30 o'clock this evening.

EVENING SESSION.

Senate met pursuant to adjournment, at 7:30 o'clock P. M., President *pro tem* Kelly presiding.

Senator Gobble offered the following resolution and moved its adoption:

Resolved, That Senate files Nos. 46, 157, 279, 154, 316, 98, 53, 326, 271, 347, 325, 97, 315, 321, 266, 202, 340, 220, 349, 206, 346, 43, 376, 21, House files Nos. 11, 56, 130, concurrent resolution No. 7, which have all been recommended by the committees to which they have been referred for indefinite postponement, be and the same are hereby indefinitely postponed.

Adopted:

REPORTS OF COMMITTEES.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 133, a bill for an act to amend the Military Code, and to increase the efficiency of the National Guard, and find the same correctly engrossed.

L. W. LEWIS, *Chairman.*

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the governor for his approval:

Senate file No. 194, a bill for an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties.

J. J. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 259, a bill for an act to legalize the re-incorporation of the Presbyterian Church of Toledo, Tama county, Iowa.

Also, House file No. 147, a bill for an act to allow any city or town of less than eight thousand inhabitants, in which a superior court is now established, to abolish the same in the manner prescribed by this act.

Also, House file No. 471, a bill for an act to amend section 1132 of the Code of Iowa, as to insurance.

Also, House file No. 8, a bill for an act to amend section 203 of the Code as amended by chapter 82, laws of the Twenty-second General Assembly, relative to reports of the clerks of the courts.

Also, Senate file No. 194, a bill for an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 395, a bill for an act legalizing the ordinances of the city of Perry, Dallas county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

On motion of Senator Perry, House file No. 209, a bill for an act legalizing the electric light plant of the city of Knoxville, Iowa, and the ordinances authorizing its establishment and the contracts for lighting the streets of said city, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Engle, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Oleson, Palmer, Parrott, Perkins, Perry, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Bolter, Conaway, Dent, Dodge, Everall, Finn, Funk, Jewett, Mack, McCall, Mattoon, Mosnat, Reiniger, Reynolds, Shields, Smith of Wapello, Vale—17.

So the bill passed and the title was agreed to.

Senate file No. 151, a bill for an act to amend section 1072 of the Code, relating to the hours of opening and closing the polls at all general elections, with report of committee recommending amendments, and as amended it do pass, was taken up and considered, and on motion of Senator Parrott was indefinitely postponed.

House file No. 250, a bill for an act to legalize acts and ordinances of the incorporated town of Charter Oak, Crawford county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Schmidt moved that the rule be suspended and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Engle, Everall, Funk, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Bolter, Conaway, Dent, Dodge, Finn, Gardiner, Gatch, Mack, McCall, Mattoon, Mosnat, Reiniger, Shields, Smith of Wapello, Vale—15.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House files in which the concurrence of the Senate is asked:

House file No. 272, a bill for an act to enable judgment creditors of insurance companies doing business in the State of Iowa, to collect their judgments out of the assets of the companies.

House file No. 393, a bill for an act to indemnify settlers of the Des Moines River lands.

CHARLES BEVERLY, *Chief Clerk.*
per D. H. SCOTT, *1st Ass't.*

On motion of Senator Bailey, House file No. 286, a bill for an act to legalize certain acts of the independent school district of Table Mound and Salem, of Dubuque county, Iowa, relative to the transfer and annexation of territory, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Cleveland, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—36.

The nays were :

None.

Absent or not voting :

Senators Bolter, Brower, Chantry, Conaway, Dent, Dodge, Finn, Mack, McCall, Mattoon, Mosnat, Reiniger, Shields, Vale—14.

So the bill passed and the title was agreed to.

On motion of Senator Engle, House file No. 333, a bill for an act to legalize the incorporation of the town of Monroe, in Jasper county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Engle moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—36.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Chantry, Conaway, Dent, Dodge, Finn, Green, McCall, Mattoon, Mosnat, Reiniger, Shields, Vale—14.

So the bill passed and the title was agreed to.

Senate file No. 348, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa, in relation to the levy of taxes, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Kent offered the following amendments which were adopted:

Amend by adding after the word "county" in the fourth line of written bill, after the word "whereas," the following: "One and one-half to."

Amend second line of section 1 by inserting after the word "county" the words, "One and one-half to."

Amend by adding the following publication clause:

SECTION 2. This act being deemed of immediate importance, to have effect and be in force from and after its publication in the Fort Madison *Democrat*, a newspaper published in Fort Madison, Iowa, and the Keokuk *Gate City*, a newspaper published in Keokuk, Iowa, without expense to the state.

Senator Kent moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—32.

The nays were:

None.

Absent and not voting:

Senators Bolter, Brower, Chantry, Dent, Dodge, Finn, Green, Hager, Hurst, Jewett, McCall, Mattoon, Mosnat, Reiniger, Schmidt, Shields, Smith of Wapello, Vale—18.

So the bill passed and the title was agreed to.

Senate file No. 329, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa, the election of its officers and all acts done and the ordinances passed by the council of said town, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Terry moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Conaway, Engle, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Jamison, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—34.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Dent, Dodge, Finn, Funk, Harmon, Hurst, Jewett, McCall, Mattoon, Mosnat, Reiniger, Shields, Smith of Wapello, Vale—16.

So the bill passed and the title was agreed to.

Senator Bolter was excused for this session.

Senate file No. 335, a bill for an act to legalize the organization and official proceedings of the Independent School District of Callender, in Webster county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Oleson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Chantry, Cleveland, Conaway, Engle, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bailey, Bolter, Brower, Dent, Dodge, Finn, Funk, McCall, Mattoon, Mosnat, Shields, Vale—12.

So the bill passed and the title was agreed to.

Senate file No. 379, a bill for an act to legalize an ordinance of Iowa City, granting to the Climax Electric Light Company, authority to erect poles and wires in the streets, alleys and public grounds of

the city of Iowa City, for furnishing electric light and power and legalizing all the acts of the officers of said city and all acts of said company performed under and by virtue of said ordinance, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Palmer, Perkins, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—33.

The nays were :

None.

Absent or not voting :

Senators Bolter, Brower, Chantry, Dent, Dodge, Finn, McCall, Mattoon, Mosnat, Oleson, Parrott, Perry, Reiniger, Rich, Shields, Smith of Wapello, Vale—17.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked:

House file No. 489, a bill for an act to legalize the acts of Daniel Shannon, justice of the peace in and for Platte township, Union county, Iowa.

House file No. 445, a bill for an act to legalize the organization and official proceedings of the sub school district of Callender, Webster county, Iowa.

House file No. 510, a bill for an act to legalize certain ordinances of the town of Stamwood, Cedar county, Iowa.

CHAS. BEVERLY, *Chief Clerk.*
per D. H. SCOTT, *1st. Ass't Clerk.*

Senate file No. 380, a bill for an act to legalize an ordinance of Iowa City, granting to the City Iowa Gas Light Company, authority to lay pipes and erect lights in the streets, alleys and public grounds of Iowa City and legalizing all acts of the officers of said city and all acts of said company, performed under and by virtue of said ordinance, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Yeomans—33.

The nays were:

None.

Absent or not voting:

Senators Brower, Chantry, Dent, Dodge, Engle, Everall, Finn, Jamison, McCall, Mattoon, Mosnat, Parrott, Reiniger, Shields, Smith of Wapello, Vale—17.

So the bill passed and the title was agreed to.

Senator Funk took the chair.

Senate file No. 362, a bill for an act to legalize the organization of the independent school district of Duncombe, Webster county, Iowa, and the acts of the officers thereof, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Oleson moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart Terry, Turner, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Chantry, Dent, Dodge, Engle, Finn, Jamison, Jewett, McCall, Mattoon, Mosnat, Reiniger, Shields, Vale—15.

So the bill passed and the title was agreed to.

On motion of Senator Harsh, House file No. 489, a bill for an act to legalize the acts of Daniel Shannon, a justice of the peace in and for Platt township, Union county, Iowa, was taken up and read a first and second time.

Senator Harsh moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Engle, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Harmon, Harsh, Hurst, Kelly, Lewis, Mack, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner—32.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Chantry, Dent, Dodge, Finn, Gobble, Hager, Jamison, Jewett, Kent, McCall, Mattoon, Mosnat, Oleson, Shields, Vale, Yeomans—18.

So the bill passed and the title was agreed to.

On motion of Senator Andrews, Senate file No. 395, a bill for an act legalizing the ordinances of the town of Perry, Dallas county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Andrews moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Chantry, Cleveland, Engle, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry—32.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Conoway, Dent, Dodge, Finn, Gobble, Hager, Jamison, Kent, McCall, Mattoon, Mosnat, Reynolds, Shields, Turner, Vale, Yeomans—18.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages was received from the house:

MR. PRESIDENT—I am directed to inform your honorable body that the House as passed the following House bills, 518, 494, 470, in which the concurrence of the Senate is asked:

House file No. 518, substitute for House file No. 482, a bill for an act to extend the time for paying the indebtedness of the Orphan's Asylum, at Andrew. Iowa.

House file No. 494, a bill for an act to legalize the organization of the independent school district of Duncombe, in Webster county, Iowa, and the acts of the officers thereof.

House file No. 470, a bill for an act to legalize the plat and dedication of Johnston's addition to the incorporated town of Humboldt, formerly Springdale, Iowa.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, 1st Ass't.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, 232 and 261, in which the concurrence of the House was asked:

Senate file No. 232, a bill for an act to legalize the official action of R. J. W. Bloom, a notary public of Hancock county, Iowa.

Senate file No. 261, a bill for an act to amend section 1, chapter 80, of the acts of the Twenty-third General Assembly.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, 1st Ass't.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House Bills, Nos. 357 and 446, in which the concurrence of the Senate is asked:

House file No. 357, a bill for an act to amend section 3959, relating to provisions in places of confinement.

House file No. 446, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said city.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, First Assistant Clerk.

Senator Lewis moved that House file No. 111, be read a third time to-morrow.

Carried.

On motion of Senator Bailey the Senate adjourned to meet at 9 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 25, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. John Webb, Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Harsh presented petition of citizens of Creston, favoring the passage of Senate file No. 383, to form a commission to revise the revenue laws and report to the next General Assembly.

Referred to Committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 390, a bill for an act to legalize the franchises of the Des Moines Water Power Company, and certain ordinances of the city of Des Moines, granting, defining and fixing said franchises, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 110, a bill for an act to prohibit cousins to unite in marriage with each other, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 378, a bill for an act to legalize certain ordinances of the town of Stanwood, Cedar county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 423, a bill for an act to legalize the incorporation of the town of Pierson, Woodbury county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 13, a bill for an act for the taxation of the interests of lien-holders in real estate, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 112, a bill for an act to amend section 1182 of the Code exempting funds realized from life insurance from debts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 28, a bill for an act to amend sections 3061 and 3106 of the Code, relating to rate of interest allowed in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out section 2 and inserting in lieu thereof the following:

SEC. 2. That section 3206 of the Code be and the same is hereby amended by striking out the following words, in the third and fourth lines of said section: "Ten per cent per annum," and inserting in lieu thereof "eight per cent per annum"; and by striking out the following words in the last line of said section: "Ten per cent per annum," and inserting in lieu thereof, "eight per cent per annum."

And when so amended recommend that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 302, a bill for an act to legalize the action of the school board of the independent school district [of Fontanelle, Adair county, Iowa, in a certain case, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 173, a bill for an act to amend section 2, chapter 156 of the laws of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 311, a bill for an act providing a clerk for the Supreme Court Reporter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 504, a bill for an act to legalize ordinance No. 75 of the town of Clarinda, Page county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator Perry, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House file No. 490, a bill for an act to amend section 1432, of the Code as amended by chapter 78, laws of the Twenty-second General Assembly, to authorize the transfer of patients from one hospital of the insane to another, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. B. PERRY, *Chairman*.

Ordered passed on file.

Senator Yeomans, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 439, a bill for an act to amend section 1, of chapter 24, of the acts of the Twentieth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House file No. 15, a bill for an act to amend section No. 22, of chapter 26 of the acts of the Twenty-second General Assembly, relating to reports to be made to the Board

of Railroad Commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 182, a bill for an act requiring railroad companies, receivers, or other persons owning or operating railroads in Iowa, to keep their books and accounts in such manner that they will be able to furnish statistics of the value of their properties, earnings, expenses, and such other details as may be required to give a full report of their operations in the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, being covered by House file No. 15.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 298, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa, to equip all their freight cars with proper, efficient and safety hand brakes, and prescribing penalties for failure thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. D. YEOMANS, *Chairman*.

Ordered passed on file.

On motion of Senator Gatch, Senate file No. 390, a bill for an act to legalize the franchise of the Des Moines Water Power Company and certain ordinances of the city of Des Moines, granting, defining and fixing said franchise, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conway, Dent, Dodge, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Perkins, Reynolds, Rich, Schmidt, Shields, Stewart, Terry, Turner, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Andrews, Engle, Finn, Gardiner, Mattoon, Parrott, Perry, Reiniger, Smith of Butler, Smith of Wapello, Smith of Wright—11.

So the bill passed and the title was agreed to.

On motion of Senator Shields, Senate file No. 327, a bill for an act giving legislative assent of the purposes of the Congressional act of August 30, 1890, in regard to the more complete endowment and support of colleges for the benefit of agriculture and the mechanic arts, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Shields moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Bishop, Engle, Gardiner, Gatch, Groneweg, Rich—6.

So the bill passed and the title was agreed to.

Senate file No. 133, a bill for an act to amend the Military Code and to increase the efficiency of the National Guard was taken up.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Harmon, Harsh, Jamison, Jewett, Kent, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—35.

The nays were:

Senators Bolter, Engle, Groneweg, Hager, Hurst, Kelly, Mattoon, Oleson, Perry, Rich—10.

Absent or not voting:

Senators Bishop, Finn, Lewis, Mosnat, Stewart—5.

So the bill passed and the title was agreed to.

On motion of Senator Schmidt, Senate file No. 38, a bill for an act granting additional power to cities organized under special charters, with report of committee recommending that the bill do pass was taken up, considered, and the report of the committee was adopted.

Senator Schmidt moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Bolter, Engle, Mattoon, Reiniger, Shields, Smith of Butler—6

So the bill passed and the title was agreed to.

Senator Reiniger moved that Senate joint resolution No. 10, be taken up.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gardiner, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Turner, Vale—27.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Yeomans.—22.

Absent or not voting:

Senator Terry—1.

So the resolution was ordered taken up.

Senator Gardiner moved to reconsider the vote by which the resolution was ordered taken up.

Carried.

The question now being upon the motion of Senator Reiniger, to take up joint resolution No. 10.

Senator Kelly moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Wapello, Stewart, Terry, Yeomans—24.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Turner, Vale—26.

Absent or not voting:

None.

So the motion to lay on the table was lost.

The question now being on the motion made by Senator Reiniger to take up Senate joint resolution No. 10, proposing to amend the constitution so as to prohibit intoxicating liquors from being manufactured or sold as a beverage.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Turner, Vale—26.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Everall, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Smith of Wapello, Stewart, Terry, Yeomans—23.

Absent or not voting:

Senator Shields—1.

Not having received a two-thirds vote for suspension of the rules, the motion to take up out of regular order was lost.

Senate file No. 237, a bill for an act to authorize the Executive Council to employ the services of the Iowa State Band and to make an appropriation, was taken up for consideration.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Dent, Dodge, Gardiner, Harmon, Hurst, Jamison, Jewett, Kent, Mack, McCall, Mattoon, Palmer, Parrott, Rich, Shields, Vale—20.

The nays were:

Senators Andrews, Bishop, Conaway, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Kelley, Lewis, Mosnat, Oleson, Perry, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—25.

Absent or not voting:

Senators Brower, Harsh, Perkins, Reiniger, Schmidt—5.

So the bill was lost.

Senator Oleson explained his vote as follows:

I voted for the "Iowa State Band" appropriation when it was before the committee but I did not know at the time that it was a stock company composed of a number of capitalists at Des Moines. I, therefore, now vote "No."

O. M. OLESON.

Senator Gatch moved to reconsider the vote by which the bill was lost.

Senator Smith of Wapello, moved to table the motion of Senator Gatch.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Chantry, Engle, Everall, Green, Groneweg, Mosnat, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—15.

The nays were:

Senators Bailey, Bolter, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Shields, Vale—27.

Absent or not voting:

Senators Brower, Finn, Hager, Harmon, Hurst, Oleson, Reiniger, Schmidt—8.

So the motion to lay on the table was lost.

The question now being upon the motion of Senator Gatch to reconsider the vote by which Senate file No. 237 was declared to have been lost.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Vale—31.

The nays were:

Senators Andrews, Bishop, Engle, Groneweg, Hurst, Mosnat,

Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—13.

Absent or not voting:

Senators Brower, Finn, Green, Hager, Harmon, Smith of Wright. 6.

So the motion to reconsider was adopted.

Senator Gatch moved to re-consider the vote by which Senate file No. 237, was passed to engrossment.

The chair declared that the motion was in violation of the provisions of rule 13, and therefore out of order.

Senator Gatch moved the suspension of rule 13.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Funk, Gardiner, Gatch, Gobble, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Vale—33.

The nays were:

Senators Andrews, Bishop, Brower, Green, Groneweg, Hager, Mosnat, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—13.

Absent or not voting:

Senators Everall, Finn, Jamison, Turner—4.

So the motion to suspend the rule was adopted.

The question now recurs upon the motion made by Senator Gatch to reconsider the vote by which the bill was ordered engrossed.

Carried.

Senator Gatch moved to strike out sections 2 and 3, also strike out the following in the title of the bill: "And to make appropriation for its better equipment."

Adopted.

Senator Engle moved to strike out the publication clause.

Lost.

Senator Reiniger moved to amend section 1, by inserting the words "in the state," after the word "undertaking," third line, printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Brower, Groneweg, Hager, Harmon, Mosnat, Reiniger, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—16.

The nays were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields—31.

Absent or not voting:

Senators Dent, Finn, Jewett—3.

So the amendment was lost.

Senator Mosnat moved to strike out of section 1, line 4, printed bill, all after the word, "Iowa."

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Brower, Chantry, Green, Groneweg, Hager, Harmon, Jamison, Mosnat, Oleson, Reiniger, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—18.

The nays were:

Senators Bailey, Bolter, Cleveland, Conaway, Dodge, Engle, Gatch, Gobble, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Palmer, Parrott, Perry, Rich, Shields, Smith of Butler, Vale—21.

Absent or not voting:

Senators Dent, Everall, Finn, Funk, Gardiner, Harsh, Hurst, Jewett, Perkins, Reynolds, Schmidt—11.

So the amendment was lost.

Senator Stewart moved to amend by adding, "That the band shall also contain two hand organs and a monkey."

Ruled out of order by the chair.

Senator Gatch moved that the rule be suspended, the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Gardiner, Gatch, Gobble, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich Shields, Vale—31.

The nays were:

Senators Andrews, Bishop, Brower, Green, Groneweg, Hager, Mosnat, Reiniger, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—15.

Absent or not voting:

Senators Everall, Finn, Funk, Schmidt—4.

So the motion to suspend the rules prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bolter, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Shields, Vale—31.

The nays were:

Senators Andrews, Bishop, Brower, Conaway, Green, Groneweg, Hager, Mosnat, Reiniger, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner—15.

Absent or not voting:

Senators Finn, Hurst, Schmidt, Yeomans—4.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate file in which the concurrence of the House was asked:

Senate file No. 138, a bill for an act making appropriation for the Benedict Home, Des Moines, Iowa.

CHAS. BEVERLY, *Chief Clerk*.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House file 342, in which the concurrence of the Senate is asked:

House file No. 342, a bill for an act to amend Section 420. of the Code, in relation to the levying of a tax for the use of township boards of health.

CHAS. BEAVERLY, *Chief Clerk*.

On motion of Senator Cleveland, Senate file No. 337, a bill for an act to provide compensation for Samuel N. Parsons, Secretary of the Senate with report of committee recommending that it do pass, was taken up, considered, and the report was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

The yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—27.

The nays were:

Senators Andrews, Bailey, Chantry, Conaway, Engle, Finn, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, Palmer, Parrot, Perkins, Reiniger, Smith of Wright, Turner—19.

Absent or not voting:

Senators Funk, McCall, Reynolds, Vale—4.

MR. PRESIDENT—I vote “No” on this question for the reason that the bill avers that it is to pay Mr. Parsons for his services as secretary of the Senate. His being the secretary of the Senate is in question. The bill proposes to establish this fact. I believe that Mr. Cliff is the secretary *de jure* of this Senate. As amendments are cut off, I vote “No.”

A. B. CONAWAY,
Fourteenth District.

So the motion to suspend the rule was lost.

Senator Gatch moved to amend by adding to section 1:

Provided, That nothing in this act contained shall prejudice the claim of J. W. Cliff as to his compensation as secretary.

Adopted.

Senator Conaway moved to amend by inserting after the word “as” in line 1 of section 1, the word “acting.”

Adopted.

Senator Dent moved that the hour of adjournment be deferred until the bill now being considered is disposed of.

Carried.

The question now being, “Shall the rule be suspended, the bill considered engrossed and read a third time now?”

Which motion prevailed and the bill was read a third time.

Senator Smith of Wapello, moved that when the Senate adjourns, that it adjourn to meet at 2 o'clock P. M.

Carried.

On the question, “Shall the bill pass?”

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Perry, Rich, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—33.

The nays were:

Senators Andrews, Chantry, Engle, Finn, Hager, Jamison, Jewett, Palmer, Perkins, Reiniger, Smith of Wright, Turner—12.

Absent or not voting:

Senators Bailey, McCall, Harmon, Vale—4.

On motion of Senator Conaway, the word “acting” was inserted after the word “Parsons” in the title of the bill.

So the bill passed and the title as amended was agreed to.

Senator Finn filed the following explanation of his vote:

MR. PRESIDENT—I vote “No,” because I believe this body ought not to anticipate the judgment of the court where this matter is now pending. If Mr. Par-

sons is the legally elected Secretary he will draw his pay as provided by law from the general fund. If he is not, the persons who are responsible for his acting as Secretary ought to see him compensated, and the State of Iowa not be compelled to pay an officer entirely unnecessary, or to pay two secretaries where but one is needed or allowed by law.

The court to determine this matter, I understand, convenes the 5th day of April, so that no urged delay can even excuse a vote for this bill. To pass this bill is to reward and offer a bounty on partizan zeal and thirst for office, which alone is responsible for the circumstances which brings the matter before this body. Where that zeal oversteps the bounds of law, the person in whose behalf it is used ought to have no rights the courts deny, and ought to be willing to abide their decision, and the \$700 should be turned over to the person who the judgment of law is alone entitled to it.

G. L. FINN.

MR. PRESIDENT—I vote “No” on this bill for the reason that as the matter of who is legally entitled to compensation as secretary of the Senate is now pending in court, I prefer to have the matter left entirely subject to that tribunal.

A. J. CHANTRY.

The Senate adjourned to meet at 2 P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment, at 2 o'clock P. M., President Bestow presiding.

Senator Bailey called up the report of the Committee on Mileage, relative to mileage of Lieut. Governor, and moved its passage.

Adopted.

On motion of Senator Harsh, Senate file No. 383, a bill for an act to provide a commissioner to studiously and carefully examine the revenue laws of the State and report necessary and desirable changes to the Twenty-fifth General Assembly, with report of committee returning the same to the Senate without recommendation, was taken up and considered.

Senator Harsh offered the following amendments.

“That a commission of four persons, to be named by the Executive Council, be and is hereby constituted to studiously and carefully examine the revenue and taxation laws of the state, and report necessary and desirable changes to the Twenty-fifth General Assembly; *provided*, that no more than two members of the commission be of the same political party.”

Senator Cleveland moved to amend by adding:

“That no member of the Twenty-fourth General Assembly shall be a member of this commission.”

The amendment as amended was adopted.

Senator Bishop offered the following as a further amendment to section 1.

And provided further, that the agricultural interests of the State shall be represented upon said commission in that ratio to which the assessment of the agricultural property has to the assessment of all other taxable property in the State as is shown by the assessment of 1891.

Adopted.

Senator Harsh offered the following as an amendment to section 2:

“ That each member of said commission be allowed five dollars per day for each and every day necessarily and actively employed on the subject and necessary traveling expenses, to be evidenced by vouchers duly filed with the secretary of state; *provided*, that no member of said commission shall receive pay for more than 60 days.”

Senator Andrews offered the following amendment to the substitute, which was accepted by Senator Harsh:

“ Strike out the number 60 and insert 30.”

The question now being on the adoption of the substitute as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Chantry, Cleveland, Conaway, Dodge, Engle, Everall, Finn, Gobble, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Oleson, Parrott, Perkins, Rich, Smith of Wapello, Turner—26.

The nays were:

Senators Bailey, Brower, Dent, Funk, Green, Hager, Lewis, Mosnat, Reiniger, Reynolds, Schmidt, Smith of Butler, Stewart, Terry, Yeomans—15.

Absent or not voting :

Senators Bishop, Gardiner, Gatch, Groneweg, Palmer, Perry, Shields, Smith of Wright, Vale—9.

So the amendment prevailed.

Senator Finn moved to strike out section 3.

Senator Bailey offered the following amendment to Senator Finn's motion:

Strike out “one of their members secretary” in first line, and insert “a competent stenographer.” Also, strike out the word “additional,” in line 2, section 3.

Lost.

The question now being on the adoption of the amendment offered by Senator Finn.

The amendment was adopted.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following, Senate file No. 203, in which the concurrence of the House was asked:

Senate file No. 203, a bill for an act to provide for the erection of cottages at the Iowa Soldiers' Home, for soldiers, sailors and marines and their wives, and also to provide for suitable rooms and accommodations for the widows of deceased soldiers, sailors and marines, and their support at said Soldiers' Home, and making appropriation for the same.

CHAS. BEVERLY, *Chief Clerk*.

Per D. H. SCOTT, *First Ass't*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House file, No. 522, in which the concurrence of the Senate is asked:

House file No. 522, a bill for an act making an appropriation for payment of state and judicial officers, and certain expenses of the General Assembly, and other bills.

CHAS. BEVERLY, *Chief Clerk*.

PER D. H. SCOTT, *First Assistant*.

REPORTS OF COMMITTEES.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg, Benton county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Also, Senate file No. 324, a bill for an act to legalize the franchises of the Cedar Rapids Electric Light and Power Company, and certain ordinances of the city of Cedar Rapids granting, defining and fixing such franchises.

Also, Senate file No. 132, a bill for an act providing for the collection and tabulation of statistics of crops and live stock.

Also, Senate file No. 82, a bill for an act to amend chapter 105, of the laws of the Twenty-second General Assembly, relative to the relief of Union soldiers, sailors and marines.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also, Senate file No. 224, a bill for an act to repeal section 1 of chapter 14, acts of the Twenty-third General Assembly and enacting a substitute therefor, making the provisions of said chapter applicable to the cities containing a population of over four thousand, and all cities organized and existing under special charter.

Also, Senate file No. 13, a bill for an act to apply the provisions of chapter 58, Seventeenth General Assembly and amendments thereto to existing bonded indebtedness of counties, cities and towns.

Also, Sénate file No. 200, a bill for an act to amend one (1), of chapter sixty-three (63), of the Twenty-first General Assembly, as amended by chapter one hundred and eight (108) of the acts of the Twenty-second General Assembly relating to the maintenance of fish dams across the outlets of meandering lakes, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Brower, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 353, a bill for an act to repeal section 2, chapter 17, laws of the Twentieth General Assembly and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns to whom was referred House file No. 472, a bill for an act to authorize the construction of railways operated by electricity and to regulate the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 330, a bill for an act to abolish the office of Township Clerk and Township Trustees in certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. GOBBLE, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 264, a bill for an act to amend sections 515 and 532 of the Code of 1873, in relation to the appointment of city marshals of cities of the second class and incorporated towns, their deputies and police, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. M. GOBBLE, *Chairman*.

Ordered passed on file.

Senator Funk, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred House file No. 379, a bill for an act to amend section 3, chapter 34, of the acts of Twenty-third General Assembly, relating to the preservation of game fish, beg leave

to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. B. FUNK, *Chairman*

Ordered passed on file.

Senator Smith, of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 223, a bill for an act to legalize the incorporation of the town of Shellsburg, Benton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Also, Senate file No. 132, a bill for an act providing for the collection and tabulation of statistics of crops and live stock.

Also, Senate file No. 82, a bill for an act to amend chapter 105 of the laws of the Twenty-second General Assembly, relative to the relief of Union soldiers, sailors and mariners.

Also, Senate file No. 324, a bill for an act to legalize the franchise of the Cedar Rapids Electric Light and Power company, and certain ordinances of the city of Cedar Rapids, granting, defining and fixing such franchises.

Also, Senate file No. 224, a bill for an act to repeal section 1, of chapter 14, acts of the Twenty-third General Assembly, and enacting a substitute therefor, making the provisions of said chapter applicable to all cities containing a population of over four thousand, and all cities organized and existing under special charter.

Also, Senate file No. 13, a bill for an act to apply the provisions of chapter 58, Seventeenth General Assembly, and amendments thereto, to existing bonded indebtedness of counties, cities and towns.

Also, Senate file No. 200, a bill for an act to amend section one (1), of chapter sixty-three (63), of the acts of the Twenty-first General Assembly, as amended by chapter one hundred and eight (108) of the acts of the Twenty-second General Assembly, relative to the maintenance of fish dams across the outlets of meandered lakes.

J. J. SMITH, *Chairman*

SPECIAL ORDER.

The hour having arrived the special order was taken up, it being the consideration of Senate file No. 393, a bill for an act to require the assessment of all taxable property at its cash market value, to decrease the rates of levies in proportion to any consequent increase of taxable valuation and to further limit the powers of counties and other political or municipal corporations to incur indebtedness.

Senator Parrott moved to strike out the preamble to the bill.

Carried.

President *pro tem* Kelly took the chair.

Senator Bishop offered the following amendment:

Amend section one by striking out all after the word "all," line 4, and insert the following: "Personal property to its full cash value after deducting the just debts owing by the owners thereof."

Senator Reiniger offered the following as a substitute for Senator Bishop's amendments:

Amend section one by adding at the end thereof: "*Provided*, that the tax payer shall have the right to deduct from the assessment of personal property, under this section, his actual debts for which he is liable, absolutely and unconditionally."

On the substitute for the amendments, the yeas and nays were demanded.

The yeas were:

Senators Finn, Funk, Harmon, Palmer, Parrott, Reiniger—6.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Gardiner, Gatch, Gobble, Green, Hager, Harsh, Hurst, Jamison, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Turner—34.

Absent or not voting:

Senators Dodge, Groneweg, Jewett, Kent, Shields, Smith of Wright, Stewart, Terry, Vale, Yeoman—10.

So the substitute for the amendment was lost.

The question now being upon the adoption of the amendment offered by Senator Bishop.

Upon this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Cleveland, Engle, Everall, Finn, Gobble, Green, Harmon, Hurst, Jamison, Kelly, Kent, Mattoon, Palmer, Parrott, Perkins, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Vale—25.

The nays were:

Senators Andrews, Chantry, Conaway, Dent, Gardiner, Gatch, Hager, Harsh, Lewis, Mack, McCall, Mosnat, Reiniger, Schmidt Turner—15.

Absent or not voting:

Senators Bailey, Dodge, Funk, Groneweg, Jewett, Oleson, Perry, Smith of Wright, Terry, Yeomans—10.

So the amendment was adopted.

Senator Smith of Wapello, offered the following amendments:

SECTION 12. Every mortgage, deed of trust, contract or other obligation by which a debt is secured upon real property in this state, shall for the purposes of assessment and taxation, be deemed and treated as an interest in the real property affected thereby.

SEC. 13. In case of debts so secured the value of the real property affected thereby less the value of such security shall be assessed and taxed to the real property, and the value of such security shall be assessed and taxed to the owner thereof in the city, town or township in which such real property is situated.

SEC. 14. The taxes so levied shall be a lien upon the real property and may be paid by either of the parties in interest. If paid by the owner of the security the tax levied upon the real property shall become a part of the debt so secured. If paid by the owner of the real property the tax levied upon the security shall constitute a payment on the debt and shall be credited thereon as of the date the same is paid. If any such security or indebtedness shall be paid after assessment and before tax levy, the debtor or debtors may retain a sum equal to what the tax on such security would be, by computing the same according to the tax levy of the preceding year.

SEC. 15. In order to carry out the provisions of this act all encumbered real estate shall be assessed each year during the time provided by law for assessing property.

SEC. 16. Any contract by which a debtor is required to pay any tax or assessment on money loaned, or any mortgage, deed of trust or other lien, shall, as to any interest specified therein, and as to such tax or assessment be null and void.

Senator Gatch moved that the bill be indefinitely postponed.

The Journal of March 24th was corrected and approved.

INTRODUCTION OF BILLS.

By Senator Turner, Senate file No. 397, a bill for an act making additional appropriation for the Soldiers Home at Marshalltown, Iowa.

Read first and second times and referred to Committee on Appropriations.

The chair made the following announcement:

The President names the following Senators as a Sifting Committee: Kelly, Bolter, Shields, Cleveland, Gobble, Yeomans, Kent, Gatch, Perkins, Brower and Mack.

S. L. BESTOW, *President*.

Senator Bolter moved that the Senate do now adjourn.

Carried, and the Senate adjourned to meet at 9 o'clock A. M. to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 25, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black of Des Moines, Iowa.

By request of Senator Turner, Senator Jewett was excused from attendance at to-day's sessions.

On motion of Senator Cleveland, the substitute for House file No. 202, was substituted for the substitute for Senate file No. 95.

The Committee on Claims reported Senate file No. 338 back to the Senate without recommendation.

INTRODUCTION OF BILLS.

By Senator Shields, a bill for an act to amend chapter 91 of the acts of the Fourteenth General Assembly, relating to the power and duties of a visiting committee to Hospitals for the Insane, and to extend their powers to the Industrial Schools of the State.

Read first and second times and placed on calendar.

By Senator Shields, Senate file No. 399, a bill for an act granting to and conferring upon all cities in Iowa, including those acting under a special charter and having a population of more than 10,000 inhabitants, the power to establish, regulate and fix the number of hours which shall constitute a day's work for all laborers, workmen or mechanics employed for or on behalf of such cities, or by contractors doing work for such cities.

Read first and second times and placed on calendar.

By Committee on Charitable Institutions, substitute for Senate file No. 359, a bill for an act authorizing the superintendent and trustees of the Orphans' Home at Davenport, Iowa, to procure homes for any and all of the children who are inmates of said Orphans' Home.

Read first and second times and ordered on calendar.

PETITIONS AND MEMORIALS.

By Senator Lewis, Senate file No. 400, a bill for an act to amend section 1317 of the Code of Iowa, relative to the assessment of the property of railway corporations covering the revenues into the state treasury and abolishing the general state levy.

Read first and second times and placed on calendar.

Senator Hurst presented petition of citizens of Jackson county against the passage of the fish bill introduced by Senator Shields.

Referred to Committee on Fish and Game.

REPORTS OF COMMITTEES.

Senator Perry, from the Committee on Charitable Institutions, submitted the following report:

MR. SPEAKER—Your Committee on Charitable Institutions, to whom was referred Senate file No. 359, a bill for an act to authorize the Children's Home Society of Davenport, Iowa, to find and procure homes for any and all of the children that are inmates of the Orphan's Home at Davenport, beg leave to report that they have had the same under consideration, and have instructed me to report to the Senate a substitute therefor, which accompanies this report, and recommend that the same do pass.

T. B. PERRY, *Chairman.*

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 391, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, Carroll county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 309, a bill for an act to provide for and regulate the administration of trusts by trust companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

L. R. BOLTER, *Chairman.*

Ordered passed on file.

Senator Mosnat, from the Committee on Claims submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 166, a bill for an act for the relief of W. A. Shaw, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. MOSNAT, *Chairman.*

Ordered passed on file.

Senator Mattoon, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 357, a bill for an act to prevent the adulteration of baking powder with ammonia and alum, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 367, a bill for an act to prevent the establishment of and maintenance of places for the smoking of opium and to punish violators thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the word "and," and insert the word "or" in the first line of the title of the bill. In the eighth line strike out the word "is" and insert "shall be deemed" in lieu thereof; and when so amended that the bill do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Mattoon, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 372, a bill for an act making the provisions of section 3, chapter 20 of the Twentieth General Assembly, permitting the payment, by installments, of street paving assessments in cities of the first class, organized as such since 1881, applicable to street railway companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 216, a bill for an act to regulate the charges of telegraph companies in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 150, a bill for an act to prohibit corporations from issuing stock for less than the par full value thereof, and to prohibit conveyances for the benefit of directors in certain cases; and to amend section 1061, Code of 1873, as amended by chapter 57, acts of the Twenty-first General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 198, a bill for an act to fix a maximum rental and charges for the use

of telephones, and fixing a penalty for its violation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 147, a bill for an act fixing the rate of charges of persons, firms or corporations operating sleeping cars in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 254, a bill for an act establishing and governing Mutual Loan and Building Associations, and enacting a substitute for chapter 6, Title IX, Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 197, a bill for an act to amend chapter 59 of the Seventeenth General Assembly, relative to the taxation of telegraph and telephone lines and to empower cities and towns to levy a special tax by ordinance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

L. B. MATTOON, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 397, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Smith, of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 225, a bill for an act punishing the crime of Sodomy.

Also, House file No. 402, a bill for an act to enable the inhabitants of two coun-

ties lying contiguous to each other, to organize into a city or incorporated town, and defining the jurisdiction of mayors thereof.

Also, Senate file No. 258, a bill for an act legalizing the incorporation ordinances and the acts of the town council and town officers of Hospers, in the county of Sioux and State of Iowa.

Also, House file No. 88, a bill for an act to amend chapter 185 of the acts of the Twentieth General Assembly, as amended by chapter 149 of the acts of the Twenty-first General Assembly and by chapter 82 of the acts of the Twenty-second General Assembly, in relation to the inspection of coal oil.

Also, House file No. 95, a bill for an act to protect persons and property from steam engines on public highways, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also:

Mr. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 73, a bill for an act amending sections 11 and 12, of chapter 14 of the laws of the Twenty-third General Assembly.

Also, House file No. 427, a bill for an act to amend chapter 159, of the acts of the Twentieth General Assembly of the State of Iowa, to repeal sections Nos. 2 and 4 thereof, and to enact substitutes for said sections.

Also, House file No. 270, a bill for an act to amend section 1, chapter 105, acts of the Twentieth General Assembly of Iowa, relating to civil rights.

Also, House file No. 59, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers in cities organized under special charters.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

On motion of Senator Cleveland, House file No. 202, a bill for an act making an appropriation for the penitentiary at Fort Madison, Iowa, was taken up and considered.

Senator Cleveland moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Bolter, Dent, Dodge, Engle, Groneweg, Jewett, Lewis, Mack, Mattoon, Reynolds, Shields—11.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, the substitute for House file No. 177 was substituted for the substitute for Senate file No. 166.

On motion of Senator Cleveland, House file No. 177, a bill for an act making an appropriation for the penitentiary at Anamosa, Iowa, was taken up and considered.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Dent, Dodge, Engle, Groneweg, Hurst, Jamison, Jewett, Kelly, Mattoon, Schmidt, Stewart, Vale—12.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, House file No. 182 was substituted for Senate file No. 188.

On motion of Senator Cleveland, House file No. 182, a bill for an act making an appropriation for the girls' department of the Iowa Industrial School, at Mitchellville, Iowa, was taken up and considered.

On motion of Senator Cleveland, the following amendment was adopted: "Insert the word 'half' at the end of line 4, section 2, original bill.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Bolter, Conaway, Dent, Engle, Finn, Groneweg, Jewett, Perry, Reynolds, Schmidt, Stewart, Yeomans—12.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, the substitute for House file No. 282 was substituted for Senate file No. 204.

On motion of Senator Cleveland, House file No. 282, a bill for an act making an appropriation for the College for the Blind at Vinton, Iowa, was taken up and read a first and second time.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Dodge, Finn, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Chantry, Dent, Engle, Jamison, Jewett, Rich, Stewart—9.

So the bill passed and the bill was agreed to.

On motion of Senator Cleveland the House substitute for House file No. 237 was substituted for Senate file No. 256.

On motion of Senator Cleveland, substitute for House file No. 237, a bill for an act making an appropriation for the boys' department of the Iowa Industrial School, at Eldora, Iowa, was taken up and read a first and second time.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bishop, Chantry, Cleveland, Conaway, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Vale—35.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bailey, Bolter, Brower, Dent, Engle, Jamison, Jewett, Kelly, Mosnat, Palmer, Shields, Stewart, Turner, Yeomans—15.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, the substitute for House file No. 213, a bill for an act making an appropriation for the Iowa Historical Society, was taken up and read a first and second times.

On motion of Senator Cleveland, the substitute for Senate file No. 221 was substituted for the substitute for House file No. 213.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Finn, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kelly, Kent, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Brower, Dent, Engle, Everall, Gardiner, Jamison, Jewett, Lewis, Mattoon, Palmer, Reynolds, Stewart—12.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files, 231, 401, 348 and 395, in which the concurrence of the House was asked:

Senate file No. 231, a bill for an act to legalize the official action of C. R. Wood, a notary public in and for Hancock county.

Substitute for Senate file No. 40, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa.

Senate file No. 348, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa.

Senate file No. 395, a bill for an act to legalize the ordinances of the city of Perry, Dallas county, Iowa.

CHAS. BEVERLY, *Chief Clerk.*
Per D. H. SCOTT, *1st Ass't Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate file, in which the concurrence of the House was asked:

Substitute for Senate file No. 93, a bill for an act making an appropriation for an exhibit of the resources of the State of Iowa at the World's Columbian Exposition to be held in the city of Chicago.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, *1st Ass't Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills 451 and 478, in which the concurrence of the Senate is asked

House file No. 451, a bill for an act to amend section 1, chapter 21, of the laws of the Twenty-third General Assembly.

House file No. 478, a bill for an act to amend section 515 of the Code, giving additional police force in incorporated towns.

I am also directed to request of your honorable body, Senate file No. 323, as there has been a motion filed in the House, asking that the vote by which that bill passed the House, be reconsidered.

CHAS. BEVERLY *Chief Clerk,*

PER D. H. SCOTT, *1st Ass't Clerk.*

On motion of Senator Cleveland, substitute for House file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, was taken up.

Senator Cleveland moved that the substitute for House file No. 92 be substituted for Senate file No. 92.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Everall, Finn, Funk, Gardiner, Hager, Harmon, Harsh, Hurst, Jamison, Lewis, Mack, McCall, Mattoon, Palmer, Parrott, Perkins, Reiniger, Smith of Butler, Smith of Wright, Turner, Vale—27.

The nays were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Gatch, Gobble, Green, Groneweg, Kelly, Mosnat, Oleson, Perry, Rich, Smith of Wapello, Stewart, Terry—17.

Absent or not voting:

Senators Kent, Jewett, Reynolds, Schmidt, Shields, Yeomans—5.

So the motion to substitute the House file for the Senate file prevailed.

Senator Oleson filed the following explanation of his vote.

MR. PRESIDENT—It would be unjust to the other State institutions to go above the amount allowed by the Appropriation Committee after the careful manner they have looked into its wants. As there still is an appropriation bill of \$25,000

before the Senate to reimburse the Des Moines river land settlers not yet provided for and as this bill to me seems perfectly just and ought to be paid, and as the amount reported by the Ways and Means Committee is nearly exhausted, I vote "No."

O. M. OLESON.

Senator Smith, of Wapello, moved to strike out the item \$1,000.00 for military purposes.

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Brower, Dent, Dodge, Engle, Gatch, Gobble, Green, Groneweg, Kelly, Perry, Rich, Schmidt, Smith of Wapello, Terry—16.

The nays were:

Senators Andrews, Bailey, Chantry, Cleveland, Conaway, Finn, Funk, Gardiner, Hager, Harmon, Harsh, Jamison, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Turner, Vale—26.

Absent or not voting:

Senators Everall, Hurst, Jewett, Kent, Mosnat, Shields, Stewart, Yeomans—8.

So the amendment was lost.

Senator Kelly moved to amend by striking out second item "\$900.-00," and inserting "\$4,000."

On the amendment the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Cleveland, Dent, Dodge, Gatch, Gobble, Groneweg, Kelly, Mosnat, Oleson, Perry, Rich, Smith of Wapello, Smith of Wright, Stewart, Terry, Yeomans—17.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Engle, Everall, Finn, Funk, Gardiner, Hager, Harmon, Harsh, Jamison, Lewis, Mack, McCall, Mattoon, Palmer, Parrott, Perkins, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Turner, Vale—28.

Absent or not voting:

Senators Green, Hurst, Jewett, Kent, Shields—5.

So the amendment was lost.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch,

Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale, Yeomans—45.

The nays were:

None.

Absent or not voting:

Senators Dent, Hurst, Jewett, Reynolds, Terry—6.

So the bill passed and the title was agreed to.

Senator Perry offered the following resolution, which went over until to-morrow:

Resolved, That the Sitting Committee be and is hereby instructed to report back to the Senate for its favorable action, House file No. 275, by Beem, a bill for an act to provide for the bi-weekly payment of coal miners.

Senator Cleveland moved that when the Senate adjourns that it do adjourn to meet at 2 o'clock this afternoon.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following, Senate file No. 133, in which the concurrence of the House was asked:

Senate file No. 133, a bill for an act amend the military code, and to increase the efficiency of the National Guard.

Also, that the House has passed the following House file, in which the concurrence of the Senate is asked:

Substitute for House file No. 114, a bill for an act to amend section 1729 of the Code.

CHARLES BEVERLY, *Chief Clerk*.

PER D. H. SCOTT, *First Assistant*.

On motion of Senator Cleveland, substitute for House file No. 522, a bill for an act making an appropriation for the salaries of the State and judicial officers, and certain expenses of the General Assembly, and other bills, was taken up and read a first and second times.

On motion of Senator Cleveland the substitute for House file No. 522 was substituted for Senate file No. 385.

President *pro tem* Kelly took the chair.

Senator Bolter moved to strike out "\$1,000.00" and insert "\$1,500.00" in section 18.

On this the yeas and nays were demanded.

The yeas were:

Senators, Bishop, Bolter, Cleveland, Dent, Dodge, Engle, Everall,

Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Mattoon, Mosnat, Oleson, Perry, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—26.

The nays were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Funk, Harmon, Jamison, McCall, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Wright, Turner, Vale—18.

Absent or not voting:

Senators Gatch, Hager, Harsh, Jewett, Lewis, Mack—6.

So the amendment was adopted.

Lieutenant-Governor Bestow resumed the chair.

On motion of Senator Mack, the hour of adjournment was extended ten minutes.

Senator Lewis moved to amend as follows:

Change section 31 to section 32. Insert as section 31, section 21 as it appears in the printed bill.

Adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Reiniger, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Engle, Finn, Gobble, Jamison, Jewett, McCall, Parrott, Schmidt, Shields, Stewart, Turner—11.

So the bill passed and the title was agreed to.

The following announcement was read by the secretary:

STATE OF IOWA,)
EXECUTIVE OFFICE,)

The Governor will tender a reception in honor of the members of the Twenty-fourth General Assembly, Monday evening, March 28, at 8:30 o'clock, in the Governor's reception rooms of the Capitol, to which all are cordially invited.

Senator Schmidt was substituted for Senator Bolter on the Sifting Committee.

The Senate adjourned to meet at 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, at 2 o'clock P. M., President Bestow presiding.

The journal of March 25th was corrected and approved.

Senator Reynolds moved that the Sifting Committee be required to bring forward for consideration of the Senate, House file No. 82.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 344, a bill for an act to provide for the printing and distribution of the *Iowa Official Register*.

Also, Senate file No. 8, a bill for an act to protect persons, associations and unions of working men and others in their labels, trade marks and forms of advertising.

Also, Senate file No. 75, a bill for an act to abolish the independent school district of East Cleveland No. 10, in Lucas county; to annex the territory of said district to the district township of Whitebreast, and to turn over all property and moneys of said independent district to said district township, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Ordered passed on file.

Senator Bolter, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 475, a bill for an act legalizing the revised ordinances of the city of Knoxville, Marion county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 510, a bill for an act legalizing certain ordinances of the town of Stanwood, Cedar county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

L. R. BOLTER, *Chairman*.

Ordered passed on file.

Senator William Hamilton Dent, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred House file No. 300, a bill for an act in relation to the officers and employes, and their duties and compensation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. H. DENT, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 333, a bill for an act to legalize the incorporation of the town of Monroe, in Jasper county, Iowa, the election of officers, and all acts done, and ordinances passed by the council of said town.

Also, House file No. 250, a bill for an act to legalize the acts and ordinances of the incorporated town of Charter Oak, Crawford county, Iowa.

Also, House file No. 209, a bill for an act legalizing the Electric Light Plant of the city of Knoxville, Iowa, and the ordinances authorizing its establishment, and contracts for lighting the streets of said city.

Also, House file No. 489, a bill for an act to legalize the acts of Daniel Shannon, justice of the peace, in and for Platt township, Union county, Iowa and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 574, a bill for an act for the better preservation of the colors, standards and battle flags carried by Iowa regiments and batteries in the war of the rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Smith, of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 344, a bill for an act to provide for the printing and distribution of the "Iowa Official Register."

Also, Senate file No. 8, a bill for an act to protect persons, associations, and unions of working men and others, in their labels, trade-marks and forms of advertising.

Also, Senate file No. 75, a bill for an act to abolish the independent school district of East Cleveland, No. 10, in Lucas county, to annex the territory of said district to the district township of Whitebreast and to turn over all property and monies of said independent district to said district township.

J. J. SMITH, *Chairman*.

Senator Groneweg, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 12, a bill for an act to amend section No. 803 of the Code of 1873, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred, House file No. 199, a bill for an act to amend chapter 97, of the acts of the Twenty-first General Assembly, relating to exemptions from taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 233, a bill for an act to secure the more effective listing of moneys and credits for taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WM. GRONEWEG, *Chairman*.

Ordered passed on file.

Senator Terry, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House file No. 213, a bill for an act to amend section 936 of the Code of 1873, as amended by chapter 109 of the acts of the Nineteenth General Assembly in relation to the establishment of Highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. M. TERRY, *Chairman*.

Ordered passed on file.

On motion of Senator Cleveland, Senate file No. 384, a bill for an act appropriating money to procure for the Governor's room in the capitol, a portrait of Ex-Gov. Samuel J. Kirkwood, was taken up and considered.

Senator Gardiner moved to strike out "\$600" and insert "\$800" in lieu thereof.

On this this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Grone-

weg, Hager, Harmon, Harsh, Jamison, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Stewart, Turner, Vale, Yeomans—35.

The nays were:

Senators Bishop, Bolter, Engle, Hurst, Kelly, Perry, Rich—7.

Absent or not voting:

Senators Finn, Jewett, Kent, Mosnat, Schmidt, Shields, Smith of Wapello, Terry—8.

So the amendment was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Ankrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble. Green, Groneweg, Hager, Harmon, Harsh, Jamison, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Stewart, Turner, Vale, Yeomans—40.

The nays were:

Senators Bolter, Engle—2.

Absent or not voting:

Senators Bishop, Hurst, Jewett, Kent, Rich, Schmidt, Shields, Smith of Wapello—8.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, House file No. 441, a bill for an act appropriating funds to pay the administrator of the estate of William Belknap and Amanda T. Belknap, his wife, for services rendered in connection with the collection of the direct war tax was taken up and considered.

Senator Mosnat moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, " Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Parrott, Perkins, Perry, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Bishop, Engle, Hurst, Jamison, Jewett, Palmer, Reiniger, Rich, Schmidt, Shields, Vale—11.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland Senate file No. 208, a bill for an act to repeal section 4042 of the Code of 1873, and provide a substitute therefor, and to enlarge the duties and powers of the State Dairy Commissioner, with report of Committee on Appropriations, recommending that the bill be amended, and as amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Andrews offered the following amendment: Amend by inserting after the words section 1, in line one, the following: "That section 4042 of the Code of 1873, is hereby repealed and the following is enacted in lieu thereof."

Adopted.

Senator Andrews moved to strike out the word "person" in line one, section 1, and insert the word "corporation" in lieu thereof."

Adopted.

By unanimous consent section 9 of the bill was stricken out.

Senator Smith, of Butler, moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jamison, Lewis, Mack, Mattoon, Parrott, Perkins, Reiniger, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—36.

The nays were:

Senators Bolter, Perry—2.

Absent or not voting:

Senators Hager, Jewett, Kelly, Kent, McCall, Mosnat, Oleson, Palmer, Reynolds, Schmidt, Shields, Yeomans—12.

So the bill passed and on motion of Senator Smith of Butler the title of the bill was amended by adding "and to provide an appropriation therefor."

On motion of Senator Cleveland, Senate file No. 374, a bill for an act to better preserve the colors, standards and battle flags, carried by Iowa regiments and batteries in the war of the rebellion, with report

of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—43.

The nays were:

None.

Absent or not voting:

Senators Bishop, Jewett, McCall, Mattoon, Palmer, Stewart, Yeomans—7.

So the bill passed and the title was agreed to.

President *pro tem* Kelly took the chair.

On motion of Senator Cleveland, House file No. 166, a bill for an act for the relief of W. A. Shaw, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass."

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kent, Lewis, Mack, Mosnat, Oleson, Parrott, Perry, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale—37.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Everall, Jewett, Kelly, McCall, Mattoon, Palmer, Perkins, Reiniger, Rich, Shields, Yeomans—13.

So the bill passed and the title was agreed to.

On motion of Senator Cleveland, Senate file No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for pre-

paring, publishing and distributing five thousand copies of "Iowa Resources and Industries at the World's Fair," in 1885, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Mattoon moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, McCall, Mattoon, Oleson, Parrott, Perkins, Reynolds, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

Senators Bolter, Brower, Groneweg, Perry, Rich, Schmidt—6.

Absent or not voting:

Senators Bishop, Funk, Jewett, Mack, Mosnat, Palmer, Reiniger, Smith of Wright—8.

So the bill passed and the title was agreed to.

Senator Engle filed the following explanation of his vote:

MR. PRESIDENT—I am opposed to the principal of this appropriation. A former legislature should have paid it. I am satisfied that the bill is just. While the contract may not have been legally made, the work was done and the state received the benefit of it. I therefore vote "aye."

PERRY ENGLE,

Twenty-ninth Senatorial District.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following, Senate file No. 133, in which the concurrence of the House was asked:

Senate file No. 133, a bill for an act to amend the Military Code, and to increase the efficiency of the National Guard.

Also, that the House has passed the following House file in which the concurrence of the Senate is asked:

House file No. 114, a bill for an act to amend section 1729 of the Code.

CHARLES BEVERLY, *Chief Clerk.*

per D. H. SCOTT, *1st Asst.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House file, in which the concurrence of the Senate is asked:

House file No. 342, a bill for an act to amend section 420 of the Code, in relation to the levying of a tax for the use of township boards of health.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT--I am directed to inform your honorable body that the House has passed the following Senate file No. 138, in which the concurrence of the House was asked:

Senate file No. 138, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

CHAS. BEVERLY, *Chief Clerk.*

BILLS ON THIRD READING.

Senator Lewis called up House file No. 111, a bill for an act requiring owners of osage orange hedge fences to trim same along the public highways and railroads of this state.

Leave of absence was granted Senator McCall until 2 P. M., Monday, March 28th, 1892.

On motion of Senator Hurst the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 28, 1891. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. Joseph Boyd, of Des Moines, Iowa.

INTRODUCTION OF BILLS.

By Senator Shields, Senate file No. 401, a bill for an act to legalize the incorporation of the town of Farley, Dubuque county, and certain official proceedings of said town.

Read first and second times and referred to the Sifting Committee.

REPORTS OF COMMITTEES.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying schedule of bills as the order of business for the Senate, the same to be considered in the order herein placed: House file 111; Senate file 378; House file 423; Senate file 303; House file 504; Senate file 263; House file 139; House file 490, and your committee will make further report concerning the bills and other matters pending before the Senate.

M. J. KELLY, *Chairman.*

Ordered passed on file.

Senator Gobble, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 100, a bill for an act to limit the compensation of justices of the peace and constables, and defining certain duties of such officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. M. GOBBLE, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House

has passed the following concurrent resolutions, in which the concurrence of the House was asked:

Concurrent resolution in relation to swamp land indemnity.

Concurrent resolution in relation to the printing of 1,200 copies of the proceedings of the last reunion of the Pioneer Law Makers' Association of Iowa.

Concurrent resolution in relation to the passage of the "Pure Food Bill," now before Congress.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, 86, 488, 515, 577, in which the concurrence of the Senate is asked:

House file No. 86, a bill for an act amending chapter 134, of the acts of the Twenty-first General Assembly, and to increase the number of judges in the Fourth judicial district.

House file No. 488, a bill for an act to legalize an election held in Decatur City, Decatur county, Iowa.

House file No. 515, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, Carroll county, Iowa.

House file No. 577, a bill for an act to legalize an ordinance and proceedings of the town council of Corning, Iowa.

CHAS. BEVERLY, *Chief Clerk.*
per D. H. SCOTT, 1st Ass't Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, in which the concurrence of the House was asked:

Senate file No. 287, a bill for an act providing for the support of the Iowa Weather and Crop Service, and the publication of an increased number of copies of the Monthly Review.

Also, that the House has passed House file No. 125, a bill for an act providing for a geological survey of the State of Iowa, in which the concurrence of the Senate is asked.

CHAS. BEVERLY, *Chief Clerk.*
per D. H. SCOTT, 1st Ass't.

On motion of Senator Yeomans, House file No. 86, a bill for an act amending chapter 134 of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Fourth judicial district, was taken up and considered.

Senator Yeomans moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Kelly, Kent, Lewis, Mack, Mat-

toon, Oleson, Palmer, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Stewart, Terry, Turner, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Engle, Finn, Hager, Jamison, Jewett, McCall, Mosnat, Parrott, Smith of Butler, Smith of Wapello, Smith of Wright—13.

So the bill passed and the title agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills: Nos. 160, 158, 335, 192, 379, 380, 362, 390, 327, in which the concurrence of the Senate is asked:

Committee substitute for Senate file No. 160, a bill for an act making an appropriation for the Agricultural College at Ames, Iowa.

Committee substitute for Senate file No. 158, a bill for an act for an appropriation for the State University at Iowa City, Iowa.

Senate file No. 335, a bill or an act to legalize the organization and official proceedings of the Independent district of Callender, Webster county, Iowa.

Senate file No. 192, a bill for an act to appropriate funds for the support of the Iowa Fish Commission.

Senate file No. 379, a bill for an act to legalize an ordinance of Iowa City, Iowa, granting to the Climax Electric Light Company authority to erect poles.

Senate file No. 333, a bill for an act to legalize an ordinance of Iowa City, Iowa, granting to the Iowa City Gas Light Company authority to lay pipes, etc.

Senate file No. 362, a bill for an act to legalize the organization of independent school district, Duncombe, Webster county, Iowa.

Senate file No. 390, a bill for an act to legalize the franchise of the Des Moines Water Power Company and certain ordinances of the City of Des Moines, Iowa, granting, defining and fixing said franchise.

Senate file No. 327, a bill for an act giving legislative assent to the purposes of the Congressional act of August 30, 1890, in regard to the more complete endowment and support of colleges for the benefit of agricultural and mechanical arts.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, *First Assistant.*

Senator Perry called up his resolution introduced on Saturday, relating to having the Sifting Committee report back to the Senate for consideration, House file No. 275, a bill for an act to provide for the bi-weekly payment of miners.

Senator Mack moved that the resolution be referred to the Sifting Committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Finn, Gardiner, Gatch, Groneweg, Hurst, Jewett, Mack, Oleson, Perkins, Rich, Shields, Stewart, Vale, Yeomans—15.

The nays were:

Senators Andrews, Bishop, Bolter, Cleveland, Conaway, Dodge, Everall, Funk, Gobble, Hager, Harmon, Harsh, Jamison, Kelly, Lewis, Mattoon, Palmer, Parrott, Perry, Reiniger, Reynolds, Schmidt, Terry, Turner—24.

Absent or not voting:

Senators Brower, Chantry, Dent, Engle, Green, Kent, McCall, Mosnat, Smith of Butler, Smith of Wapello, Smith of Wright—11.

So the motion to refer was lost.

The question now being upon the adoption of the resolution offered by Senator Perry.

Senator Yeomans moved that the resolution be laid on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Gatch, Mack, Schmidt, Shields, Stewart, Yeomans—9.

The nays were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Conaway, Dodge, Everall, Funk, Gobble, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mattoon, Palmer, Parrott, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Terry, Vale—28.

Absent or not voting:

Senators Dent, Engle, Finn, Gardiner, Green, Groneweg, Jewett, Mosnat, McCall, Oleson, Perkins, Smith of Wright, Turner—13.

So the motion to lay on the table was lost.

The question now being on the adoption of the resolution offered by Senator Perry.

Senator Reiniger raised the point of order that it would require a suspension of the rules to require the Sifting Committee to report back the bill.

The chair ruled that the point of order was well taken.

Senator Perry appealed from the decision of the chair.

The question now being, "Shall the decision of the chair be sustained?"

The yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack,

Mattoon, Oleson, Parrott, Perkins, Reiniger, Rich, Schmidt, Smith of Butler, Stewart, Terry, Turner, Vale, Yeomans—37

The nays were:

Senators Engle, Perry, Reynolds—3.

Absent or not voting:

Senators Dent, Everall, Hager, Jamison, McCall, Mosnat, Palmer, Shields, Smith of Wapello, Smith of Wright—10.

So the decision of the chair was sustained.

Senator Andrews filed the following explanation of his vote:

MR. PRESIDENT—I am in favor of the spirit of the resolution, but think the ruling of the chair should be sustained, and vote "aye."

H. F. ANDREWS.

Senator Engle filed the following explanation of his vote:

MR. PRESIDENT—I believe that this should be a democratic and republican body, and that the body of the Senate have rights that even a monopoly Sifting Committee should respect. I am opposed to this one man power. I am opposed to a few men killing anti-monopoly measures in committees, while depriving the body of the Senate from a vote or voice. I vote not to sustain the ruling of the chair.

PERRY ENGLE,
Twenty-ninth Senatorial District.

Senator Perry filed the following explanation of his vote:

MR. PRESIDENT—I vote "no," against sustaining the chair, because I believe the Senate has the undoubted authority to request the Sifting Committee, like any other Committee, to report this or any other bill back, without having to suspend any rule of the Senate.

T. B. PERRY.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files Nos. 38, 96 and 210, in which the concurrence of the House was asked:

Senate file No. 38, a bill for an act granting additional franchises to cities organized under special charter.

Senate file No. 96, a bill for an act for the preservation of the health of female employes.

Senate file No. 210, a bill for an act to define the residence of any ex-soldier, sailor or marine, who may be discharged from the Iowa Soldiers' Home.

CHAS. BEVERLEY, *Chief Clerk,*
Per D. H. SCOTT, 1st Asst.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House file, No. 384, in which the concurrence of the Senate is asked:

House file No. 384, a bill for an act to apportion the State of Iowa into Representative Districts, and delaring the ratio of representation.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, 1st Ass't.

Senator Perry moved "that it is the sense of this Senate that House file No. 275 be reported back to this body by the Sifting Committee for favorable consideration.

Senator Yeomans moved to lay the resolution on the table.

On this the yeas and nays were demanded.

The yeas were :

Senators Bailey, Chantry, Cleveland, Conaway, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Hurst, Jewett, Mack, Ole-son, Parrott, Perkins, Reiniger, Rich, Schmidt, Stewart, Terry, Turner, Vale, Yeomans—25.

The nays were:

Senators Andrews, Bolter, Engle, Everall, Funk, Hager, Harsh, Jamison, Kelly, Lewis, Mattoon, Palmer, Perry, Reynolds, Smith of Butler, Smith of Wapello, Smith of Wright—17.

Absent or not voting:

Senators Bishop, Brower, Dent, Dodge, Kent, McCall, Mosnat, Shields—8.

So the motion to lay on the table prevailed.

Senator Yeomans offered the following resolution and moved its adoption:

Resolved, That the debate be hereafter limited to one minute on all motions, resolutions, etc., and one minute on amendments; also that the chair be requested to rigidly enforce this.

Went over until tomorrow under the rule.

UNFINISHED BUSINESS.

On motion of Senator Harsh, unfinished business was taken up.

Senator Gatch was granted leave by the Senate to withdraw his motion to indefinitely postpone Senate file No. 393, this being the bill now under consideration.

On motion of Senator Finn, Senate files Nos. 386 and 387 were ordered printed.

The motion now being upon the adoption of the amendment offered to Senate file No. 393, by Senator Smith of Wapello, offered and printed in the journal of March 25, 1892.

On this the yeas and nays were demanded.

The yeas were :

Senators Bolter, Engle, Hager, Lewis, Mattoon, Perry, Smith of Butler, Smith of Wapello, Terry—9.

The nays were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Harsh, Hurst, Kent, Mack, Mosnat, Palmer, Parrott, Perkins, Reiniger, Schmidt, Shields, Smith of Wright, Turner, Vale—28.

Absent or not voting:

Senators Dodge, Everall, Finn, Green, Jamison, Jewett, Kelly, McCall, Oleson, Reynolds, Rich, Stewart, Yeomans—13.

So the amendment was lost.

Senator Reiniger filed the following explanation of his vote:

Senate file No. 393, amendment offered by Senator Smith of Wapello. I vote "no" on this amendment:

First. Because I believe the bill should pass as near in its original form as possible, as it promises to bring about a reform in our taxing system, and amendments will endanger the bill.

Second. I believe the courts will not sustain section 16 of the amendment.

ROBT. G. REINIGER,
Senator Forty-fourth District.

Senator Engle files the following explanation of his vote:

MR. PRESIDENT—I believe that mortgages, moneys and credits should bear their just share of taxation. I am opposed to *taxing debts* and exempting mortgages. I therefore vote "aye."

PERRY ENGLE,
Senator Twenty-ninth District.

Senator Harsh explains his vote as follows:

MR. PRESIDENT—On the fate of this bill, hangs all hope of legislation at this session, on the subject of taxation. I voted "no" on the amendment of the Senator from Sioux, and now vote "no" on these amendments, not because I am opposed to the principles contained therein, but because I fear if this bill is loaded down with amendments, it will fail of passage.

J. B. HARSH, *Senator 5th District.*

Senator Bishop explained his vote as follows:

MR. PRESIDENT—Being satisfied from the previous action of this body that the adoption of this amendment will result in the defeat of the bill. I vote "no."

L. H. BISHOP.

Senator Gatch moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Pending discussion Senator Bishop moved the previous question, which was seconded and ordered.

The question being: "Shall the rule be suspended, and the bill considered engrossed and read a third time now?"

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Dent,

Everall, Funk, Gardiner, Gatch, Gobble, Hager, Harsh, Kelly, Mack, Oléson, Palmer, Perkins, Reiniger, Rich, Schmidt, Smith of Butler, Stewart, Turner, Yeomans—25.

The nays were:

Senators Chantry, Harmon, Hurst, Kent, Lewis, Smith of Wapello, Terry, Vale—8

Absent or not voting:

Senators Dodge, Engle, Finn, Green, Groneweg, Jamison, Jewett, McCall, Mattoon, Mosnat, Parrott, Perry, Reynolds, Shields, Smith of Wright—17.

So the rules were suspended and the bill ordered engrossed and read a third time now.

The motion to suspend the rule having prevailed, the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Bolter, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gardner, Gatch, Gobble, Groneweg, Hager, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Oleson, Palmer, Perkins, Rich, Smith of Wright, Stewart, Vale, Yeomans—31.

The nays were:

Senators Andrews, Chantry, Green, Harmon, Parrott, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wapello, Terry, Turner—13.

Absent or not voting:

Senators Brower, Finn, Hurst, McCall, Mosnat, Shields—6.

On motion of Senator Gatch, the title was amended as follows:

Insert in line 2 of the title of the bill, after the word "value," the following: "allowing certain deductions on account of certain indebtedness."

So the bill passed and the title as amended was agreed to.

Senator Engle explained his vote as follows :

MR. PRESIDENT—This bill has some valuable features, and some objectionable ones. It is not what I should like to vote for; but believing that it is better than no legislation, I will support the bill. I believe that all property should be assessed at its actual cash value, and that there should be *no* exemptions. I therefore vote "aye."

PERRY ENGLE,
Twenty-ninth district.

Senator Finn explained his vote as follows:

MR. PRESIDENT—While I believe this bill is a step in the right direction, but by adopting the amendment, allowing all debts taken out of personal property, I feel satisfied that the privilege will be much abused and will very much decrease

our assessment, and will also give unscrupulous persons too good an opportunity to cover up property.

GEORGE A. FINN.

Senator Reiniger explained his vote as follows:

I would have voted for this bill if the amendment to section 1 had not been adopted. This allows all just debts, whether absolute or contingent, such as sureties on notes and other obligations to be deducted from the assessment of personal property. I believe this amendment to be too broad and sweeping in its provisions, and will remove a large amount of personal property heretofore taxable from taxation, which, in my judgment, more than offsets all the benefits of the bill, and hence I vote, "no."

ROBT. G. REINIGER,

Senator from Forty-fourth District.

Senator Chantry explained his vote as follows:

MR. PRESIDENT—I vote *no* on this bill for the reason I regard it a most vicious measure, which will, in its present form, throw nearly the entire burden of taxation already too heavily borne on the farmers of the state; it will exempt from taxation, merchandise, capital employed in manufacturing, money and credits, jewelry and musical instruments, corporation stocks, live stock and all personal effects, and throw the burden of taxation largely more on the home of the farmers of Iowa.

A. J. CHANTRY.

Senator Lewis explained his vote as follows:

MR. PRESIDENT—I am in favor of the bill as it was introduced providing for the assessment of all property at its cash value, but since the amendment to the bill has been made, which I believe will exempt practically all of the personal property of the state, amounting to nearly one-third of our total valuation, I deem it a very ill advised measure. For the purpose of moving a re-consideration that the objectionable amendment may be stricken out, I vote "aye."

L. W. LEWIS.

Senator Jamison explained his vote as follows:

MR. PRESIDENT—I desire to say in explanation of my vote that the section of the bill providing for all personal property to be made an offset against indebtedness, and that real estate may not be so offset is unjust and inequitable and will impose an additional burden of taxation on real property. But inasmuch as the individual who is dealing in moneys and notes, can offset his assesment with his debts, this bill will only make another clause of preferred exemption and is that far a step in the right direction. The exemption for indebtedness should extend to all property if to any. Beliveing that the bill will help to correct the injustice of allowing moneys and credits to offset indebtedness. I vote "aye."

JAS. H. JAMISON,

Senator Eleventh District.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following Senate bills, Nos. 199 and 332, in which the concurrence of the House was asked:

Senate file No. 199, a bill for an act to amend section 853, chapter 1, Title VI of the Code, relating to the lien of taxes between vender and vendee. The House amended by striking out sections 2 and 3, and by adding the words, "in bulk," after the word, "transfer," in section 1, line 3 of the original bill.

Also, that the House has passed Senate file No 332, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing business, to issue certificates and ware house receipts on their own products while in their own custody and control.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Harsh, Senate file No. 383, was taken up for consideration.

Senator Harsh offered the following amendment and moved its adoption:

This act being deemed of immediate importance, shall take effect and be in full force on and after its publication in the Iowa State *Register* and Des Moines *Leader*, newspapers published at Des Moines, Iowa.

Adopted.

Senator Harsh moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

Senators Bolter, Schmidt—2.

Absent or not voting:

Senators Kelly, Kent, McCall, Shields—4.

So the bill passed and the title was agreed to.

A roll-call was had on concurring in the following House amendment to Senate file No. 135, changing the word "statue" to "statute."

The yeas were:

Senators Andrews, Bishop, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bailey, Bolter, Brower, Funk, Harmon, Kent, McCall, Rich, Smith of Wright—9.

So the Senate concurred in the House amendment.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files: Nos. 185, 323, in which the concurrence of the House was asked:

Senate file No. 185, a bill for an act to protect the public from fraudulent pedigrees of live stock.

Also, that the vote to reconsider the vote by which Senate file No. 323 passed the House was defeated, and that the request made of your honorable body Saturday that said Senate file be returned to the House is withdrawn.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, First Assistant.

On motion of Senator Gobble Senate file No. 199, was taken up for consideration.

Senator Gobble moved that the amendments offered by the House be concurred in.

The yeas were:

Senators Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Andrews, Chantry, Dent, Engle, Finn, Funk, Hurst, McCall, Schmidt, Terry—10.

So the Senate concurred in the House amendments.

HOUSE MESSAGES.

House file No. 517, a bill for an act to legalize an ordinance and proceedings of the town council of the town of Corning, Adams county, Iowa, held on the 1st day of June, vacating a certain street in said town.

Read first and second times and referred to Sifting Committee.

House file No. 488, a bill for an act to legalize an election held in Decatur City, Decatur County, Iowa, and the acts of the electors, in said town in revising the municipal government of said town.

Read first and second times and referred to Sifting Committee.

House file No. 515, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, in Carroll county, Iowa.

Read first and second times and referred to Sifting Committee.

House file No. 518, being House substitute for House file No. 482, a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Read first and second times and referred to Sifting Committee.

House file No. 494, a bill for an act to legalize the organization of the independent school district of Duncombe, in Webster county, Iowa, and the acts of officers thereof.

Read first and second times and referred to Sifting Committee.

House file No. 470, a bill for an act to legalize the plat and dedication of Johnson's addition to the incorporated town of Humboldt, formerly Springvale, Iowa,

Read first and second times and referred to Sifting Committee.

House file No. 357, a bill for an act to amend section 3959 of the Code of 1873, relating to prisoners in places of confinement.

Read first and second times and referred to the Sifting Committee.

Committee substitute for House file No. 152, a bill for an act to provide for a geological survey of the State of Iowa.

Read first and second times and placed on file.

House file No. 342, a bill for an act to amend section 420 of the Code in relation to levying a tax for the use of town boards of health.

Read first and second times and referred to the Sifting Committee.

Senator Mack moved that when the Senate adjourns, that it do adjourn until 2 o'clock this afternoon.

Carried.

House file No. 446, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa, the election of its officers and all the acts done and the ordinances passed by the council of said town.

Read first and second times and referred to Sifting Committee.

House file No. 393, a bill for an act to indemnify settlers on the Des Moines river school lands.

Read first and second times and referred to Appropriation Committee.

House file No. 374, a bill for an act to make standard silver dollars of the United States full legal tender in the State of Iowa.

Read first and second times and referred to Sifting Committee.

House file No. 384, a bill for an act to apportion the state into representative districts and declaring the ratio of representation.

Read first and second times and referred to Sifting Committee.

House file 272, a bill for an act to enable judgment creditors of insurance companies doing business in the State of Iowa, to collect their judgment out of the assets of the companies.

Read first and second times and referred to Sifting Committee.

House file No. 114, a bill for an act to amend section 1729 of the Code.

Read first and second times and referred to Sifting Committee.

Senate file No. 445, a bill for an act to legalize the organization and official proceedings of the independent school district of Callender, in Webster county, Iowa.

Read first and second times and referred to Sifting Committee.

The journal of March 26th was corrected and approved.

Senator Lewis presented memorial of Wayne County Teachers' Association against decreasing the salary of its county superintendent, favoring special qualifications of candidates for said office.

Referred to Sifting Committee.

Senator Lewis filed the following motion:

I move that the vote by which Senate file No. 393, passed the Senate, be reconsidered.

Senate adjourned until 2 P. M., this afternoon.

AFTERNOON SESSION.

Senate re-convened at 2 o'clock P. M., President Bestow presiding.

Consent was given Senator Dent to have his vote recorded on House file No. 86. He votes "aye."

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file, No. 319, a bill for an act granting cities of the second class in the State all the powers and provisions of chapter 102 of the laws of the Seventeenth General Assembly; chapter 25, laws of the Twentieth General Assembly, and chapter 7 of the laws of the Twenty-second General Assembly, relating to the construction of sewers in cities of the first class.

Also, Senate file No. 74, a bill for an act providing for funding indebtedness evidenced by warrant, and the refunding of bonded indebtedness of incorporated

towns, for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such tax, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying schedule of bills for the consideration of the Senate in the order herein placed; Senate files, 401, 391, 377, House files, 445, 494, 470, 517, 488, 515, 475, 505, 446, and your committee will hereafter make further report:

M. J. KELLY, *Chairman*.

..Ordered passed on file.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 319, a bill for an act granting cities of the second class in the State, all the powers and provisions of chapter 162 of the laws of the Seventeenth General Assembly, chapter 25, laws of the Twentieth General Assembly, and chapter 7 of the laws of the Twenty-second General Assembly, relating to the construction of sewers in cities of the first class.

Also, Senate file No. 74, a bill for an act providing for funding indebtedness evidenced by warrants and the refunding of bonded indebtedness of incorporated towns and for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such tax.

J. J. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 92, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing for additional permanent endowment and additional contingent fund for the same.

Also, House file No. 237, a bill for an act to appropriate money for the support of the boys' department of the Iowa Industrial School at Eldora.

Also, House file No. 282, a bill for an act making an appropriation for the College for the Blind at Vinton, Iowa.

Also, House file No. 177, a bill for an act making appropriations for the Penitentiary at Anamosa, Iowa.

Also, House file, No. 286, a bill for an act to legalize certain acts of the independent school district of Table Mound and Salem, of Dubuque county, Iowa, relating to the transfer and annexation of certain territory.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also :

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined House file No. 202, a bill for an act making appropriation for the Penitentiary at Fort Madison, Iowa.

Also, House file No. 215, a bill for an act to aid the State Historical Society of Iowa, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Senator Reynolds offered the following resolution and moved its adoption:

MR. PRESIDENT:

WHEREAS, House file No. 275, which passed the other branch of this General Assembly on the 8th inst., and was read first and second times in the Senate on the 9th, and referred to Committee on Mines and Mining, from which committee it was not reported back to the Senate until the morning session of the 24th inst., and was, along with all other bills on the calendar, turned over to the Sifting Committee, and now,

WHEREAS, On account of the near close of the session, the friends of this and other bills relating to legislation in the interest of coal miners, are constrained to waive the further consideration of such bills, and respectfully ask for the consideration of this bill; therefore, be it

Resolved, That we earnestly request that the Sifting Committee give House file No. 275 an early consideration, if in their judgment it is a worthy measure, and one that should be reported back to the Senate for favorable action. We request them to do so in time for action to be had on it by this Senate.

The resolution went over until to-morrow under the rule.

On motion of Senator Cleveland, Senate file No. 121, a bill for an act to provide for a geological survey of the State of Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Cleveland moved that House file No. 152 be substituted for Senate file No. 121.

Carried.

Senator Reiniger offered the following amendment:

SECTION ——. The survey provided for in this act shall be carried on in connection with, and in conjunction with a survey by the government of the United States, if it can be done on terms similar to surveys made by other states and the United States. And it shall be the duty of the Executive Council of this State to carry the provisions of this act into effect if it can be done on terms favorable to the State.

Lost.

Senator Green moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Palmer, Parrott, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry, Turner, Vale, Yeomans—36.

The nays were:

Senators Bishop, Bolter, Brower, Chantry, Engle, Finn, Perkins, Perry, Reiniger, Rich, Smith of Wapello—11.

Absent or not voting:

Senators Jewett, Oleson, Smith of Wright—3.

So the bill passed and the title was agreed to.

Senator Dodge offered the following resolution and moved its adoption:

WHEREAS, Under resolution of this Senate, Codes of the State of Iowa, were furnished to the members of this body, as also certain officials of the Senate, and,

WHEREAS, One extra copy of McClain's Code, was ordered and has been paid for by the State, and is now in the supply department, therefore,

Resolved, That this extra copy of McClain's Code, be presented to F. G. Yeomans, Sergeant-at-Arms of the Senate.

Adopted.

BILLS ON THIRD READING.

House file No. 111, a bill for an act requiring owners of osage orange hedge fences to trim the same along the public highways and railroads of this State, was taken up and considered.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were :

None.

Absent or not voting :

Senators Brower, Finn, Gobble, Groneweg, Jewett, Reiniger—6.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Yeomans, Senate file No. 402, a bill for an act entitled an act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties, passed March 24th and approved March 25, 1892.

Read a first and second times.

Senator Yeomans moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion

prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bishop, Bolter, Chantry, Cleveland, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Kelly, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Bailey, Brower, Conaway, Finn, Harmon, Jewett, Kent, Reiniger, Rich—9.

So the bill passed and the title was agreed to.

Senator Lewis called up his motion filed this morning, to reconsider the vote by which Senate file No. 393 was declared to have passed the Senate and moved its adoption.

Senator Bishop moved to table the motion.

Lost.

The question now being on the adoption of the motion to reconsider.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Chantry, Dodge, Gardiner, Gobble, Harsh, Jamison, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perry, Reiniger, Reynolds, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Turner—22.

The nays were:

Senators Bishop, Bolter, Engle, Everall, Finn, Funk, Groneweg, Hurst, Jewett, Kelly, Rich, Stewart, Terry, Vale—14.

Absent or not voting:

Senators Bailey, Brower, Cleveland, Conaway, Dent, Gatch, Green, Hager, Harmon, Kent, Mosnat, Perkins, Schmidt, Yeomans—14.

Senator Lewis moved to reconsider the vote by which the rules were suspended, Senate file No. 393 was considered engrossed and read a third time.

Carried.

So the vote by which the bill passed and the title was agreed to was reconsidered.

MESSAGES FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House

has passed the following Senate bills, in which the concurrence of the House was asked.

Senate file No. 363, a bill for an act making an appropriation for the State Library.

Senate file No. 20, a bill for an act to promote historical collections in the Capitol of the State.

Senate file No. 381, a bill for an act to provide for conducting the office of State Dairy Commissioner, and for paying the expenses thereof.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, 1st Ass't Clerk.

Senator Smith of Wapello, moved that the vote by which the following amendment was adopted be reconsidered:

Amend section 1 by striking out all after the word "all," in line 4, and insert the following: "Personal property to its full cost value, after deducting the just debts owing by the owners thereof."

The motion prevailed and the adoption of the amendment was reconsidered.

Senator Bishop offered the following amendment:

Amend section 11 by inserting between the word "sections," in the first line thereof. and the figures "821" the figures "814."

On this the yeas and nays were demanded.

The yeas were:

Senators Bishop, Bolter, Chantry, Engle, Hager, Jamison, Jewett, Mattoon, Perkins, Perry, Reynolds, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Yeomans—18.

The nays were:

Senators Andrews, Bailey, Cleveland, Conaway, Dent, Dodge, Finn, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Reiniger, Schmidt, Turner, Vale—27.

Absent or not voting:

Senators Brower, Everall, Funk, Hurst, Smith of Wright—5.

So the amendment was lost.

Senator McCall offered the following amendment:

Amend section 1 by striking out all of lines 3 and 4, and all of line 5 up to and including the word "sale," in line 5, and insert between the words "market" and "value" in line 2, the words "or selling;" and also insert between the words "such" and "selling," in line 5, the words "market or."

Adopted.

Senator Gatch offered the following amendments to the printed bill, which were adopted:

Amend section 9 by inserting after the first word, "the," in line 7, the word "maximum;" also insert after the word "corresponding," in line 9, the word

“maximum;” also insert after the word “rates,” line 9, the words, “authorized by law.”

Senator Gatch moved that the rule be suspended and the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Cleveland, Dent, Everall, Gardiner, Gatch, Gobble, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Reiniger, Turner, Vale, Yeomans—21.

The nays were:

Senators Bishop, Bolter, Brower, Chantry, Engle, Finn, Groneweg, Harmon, Hurst, Jamison, Jewett, Mosnat, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry—23.

Absent or not voting:

Senators Conaway, Dodge, Funk, Green, Palmer, Shields—6.

So the motion to suspend the rule was lost.

MR. PRESIDENT—I am in favor of putting all property in Iowa on an equality in regard to taxation and exemptions. Why exempt a man's moneys (greenbacks and national bank money) from taxation and because a man has moneys and credits allow him to deduct his indebtedness from his assessment and not allow the wealth producers to deduct their indebtedness from their assessments? Let him who has protection by law pay for it. When the amendments to this bill making equal taxation and equal exemptions was voted down, it compels me to vote against this bill.

PERRY ENGLE, *Twenty-ninth District.*

The question now being, “Shall the bill be engrossed and read a third time to-morrow:

The yeas were:

Senators Andrews, Bailey, Cleveland, Dent, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Reiniger, Stewart, Turner, Vale—24.

The nays were:

Senators Bishop, Bolter, Brower, Chantry, Engle, Finn, Harmon, Hurst, Jamison, Jewett, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Terry,—19.

Absent or not voting:

Senators Conaway, Dodge, Palmer, Shields, Smith of Wright, Yeomans, Mosnat—7.

So the bill was ordered engrossed.

President *pro tem* Kelly took the chair.

On motion of Senator Dent the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 29, 1892. }

The Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. D. McPherson, of Des Moines, Iowa.

REPORTS OF COMMITTEES.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the following schedule for the consideration of the Senate, to be taken up in the order herein placed: House file 42, House file 15, substitute for House file 482, House files 169, 330, 379 and 40, Senate files 245, 280 (substitute for 14, 22, etc.), 162 and 277, and that your committee will hereafter make further report.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Cleveland, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House file No. 393, a bill for an act to indemnify settlers on the Des Moines River School Lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, and that the accompanying substitute do pass.

W. F. CLEVELAND, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate file No. 51, a bill for an act to protect the breeders of trotting and pacing horses, and fair associations of the State of Iowa.

Also, Senate file No. 323, a bill for an act to protect the makers of negotiable instruments in certain cases.

Also, Senate file No. 232, a bill for an act to legalize the official acts of Robert J. W. Bloom, a notary public in and for Hancock county.

Also, Senate file No. 203, a bill for an act to provide for the erection of cottages at the Iowa Soldiers' Home, for soldiers, sailors and marines and their wives; and

also to provide for suitable rooms and accommodations for the widows of deceased soldiers, sailors and marines, and their support at said Soldiers' Home, and making appropriations for the same.

And find the same correctly enrolled.

Also, Senate file No. 261, a bill for an act to amend section 1, chapter 80, acts of the Twenty-third General Assembly of Iowa.

Also, Senate file No. 348, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa, in relation to the levy of taxes.

Also, Senate file 382, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing business to issue certificates and warehouse receipts on their own products while in their custody and control.

J. J. SMITH, *Chairman*.

Senator Lewis, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate file 393, a bill for an act to require the assessment of all taxable property at its cash market value, allowing certain deductions on account of indebtedness, to decrease the rates of levies in proportion to any consequent increase of taxable valuation, and to further limit the power of counties and other political and municipal corporations to incur indebtedness, and find the same correctly engrossed.

L. W. LEWIS, *Chairman*.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, Senate file No. 51, a bill for an act to protect the breeders of trotting and pacing horses, and fair associations of the State of Iowa.

Also, Senate file No. 323, a bill for an act to protect the makers of negotiable instruments in a certain case.

Also, Senate file No. 261, a bill for an act to amend section 1, chapter 80, acts of the Twenty-third General Assembly, of Iowa.

Also, Senate file No. 348, a bill for an act to legalize certain acts of the board of supervisors of Lee county, Iowa, in relation to the levy of taxes.

Also, Senate file No. 203, a bill for an act to provide for the erection of cottages at the Iowa Soldiers Home for soldiers, sailors and marines, and their wives; and also to provide for suitable rooms and accommodations for the widows of deceased soldiers, sailors and marines, and their support at said soldiers' home, and making appropriations for the same.

Also, Senate file No. 232, a bill for an act to legalize the official acts of Robert J. W. Bloom, a notary public in and for Hancock county.

Also, Senate file No. 332, a bill for an act authorizing corporations and persons engaged in the slaughtering and packing business to issue certificates and warehouse receipts on their own products, while in their custody and control.

J. J. SMITH, *Chairman*.

PETITIONS AND MEMORIALS.

Senator Palmer presented the following resolution of the Washington, Iowa, Temperance Alliance :

Resolved, That the officers and members of Washington City Temperance Alliance heartily endorse the action of the members of both Houses of our Legislature in standing by our prohibitory law and voting against the "Gatch Bill" and saloon, and for our home and native land.

A. A. SMITH, *President*.

W. P. MOOTHART, *Secretary*.

Referred to Sifting Committee.

MESSAGES FROM THE HOUSE.

The following messages were received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills in which the concurrence of the Senate is asked :

House file No. 492, a bill for an act to prevent the establishment and maintenance of places for the smoking of opium, and to punish a violation thereof.

House file No. 498, substitute for House file No. 370, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly.

CHAS. BEVERLY, *Chief Clerk*

Per D. H. SCOTT, *1st Ass't Clerk*.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, 217, 375, 143, in which the concurrence of the Senate is asked :

Committee substitute for Senate file No. 317, a bill for an act making an appropriation for the Soldiers' Home at Marshalltown, Iowa.

Senate file No. 375, a bill for an act to authorize the loan of certain arms and accoutrements to military schools and colleges in the state of Iowa. Amended by striking out the last two words in line 12 and all of line 13 in section 1 of original bill and add in lieu thereof the words "and use excepted."

Committee substitute for Senate file No. 143, a bill for an act making an appropriation for the Industrial Home for the Blind at Knoxville, Iowa.

CHAS. BEVERLY, *Chief Clerk*.

Per D. H. SCOTT, *1st Ass't Clerk*.

HOUSE MESSAGES.

Senate file No. 375 was taken up.

The question being, "Shall the Senate concur in the House amendment to the bill?"

The yeas were:

Senators Andrews, Bailey, Bishop, Cleveland, Conaway, Everall, Funk, Gatch, Gobble, Green; Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—32.

The nays were:

None.

Absent or not voting:

Senators Bolter, Brower, Chantry, Dent, Dodge, Engle, Finn, Gardiner, Groneweg, Hager, Hurst, Kent, Mattoon, Mosnat, Perkins, Rich, Shields, Smith of Wapello—18.

So the Senate concurred in the House amendment.

The resolution offered on yesterday by Senator Yeomans, relative to limiting debate was taken up.

Senator Reiniger moved to amend by making the time five minutes instead of one minute.

Senator Bailey moved to amend the amendment by making the time three minutes.

Senator Reiniger accepted the amendment to the amendment.

Lost.

The question now being upon the adoption of the original resolution as offered by Senator Yeomans.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Cleveland, Conaway, Dent, Gatch, Goble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Palmer, Parrott, Reiniger, Rich, Schmidt, Shields, Smith of Wright, Stewart, Turner, Vale, Yeomans—27.

The nays were:

Senators Andrews, Bolter, Everall, Funk, Harmon, Kent, Mattoon, Mosnat, Oleson, Perry, Smith of Butler, Smith of Wapello, Terry—13.

Absent or not voting:

Senators Bishop, Brower, Dodge, Engle, Finn, Gardiner, Mack, McCall, Perkins, Reynolds—10.

So the resolution was adopted.

BILLS ON THIRD READING.

Senate file No. 378, a bill for an act to legalize certain ordinances of the town of Stanwood, Cedar county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

! On motion of Senator Green, House file No. 510 was substituted for Senate file No. 378.

Senator Green moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Everall, Funk, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—37.

The nays were:

None.

Absent or not voting:

Senators Brower, Dodge, Engle, Finn, Gardiner, Gatch, Harsh, Mattoon, Mosnat, Oleson, Rich, Shields, Smith of Wapello—13.

So the bill passed and the title as amended was agreed to.

House file No. 423, a bill for an act to legalize the incorporation of the town of Pierson, Woodbury county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

On motion the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dodge, Everall, Finn, Funk, Gatch, Gobble, Green, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Chantry, Dent, Engle, Gardiner, Groneweg, Harsh, Mattoon, Mosnat, Oleson, Smith of Wapello—10.

So the bill passed and the title was agreed to.

House file No. 504, a bill for an act to legalize ordinance No. 75 of the town of Clarinda, Page county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perkins moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conaway, Dodge, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager,

Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Chantry, Dent, Engle, Everall, Finn, Harsh, Mosnat, Oleson, Reiniger, Shields, Turner—11.

So the bill passed and the title was agreed to.

Senate file No. 263, a bill for an act to amend section 9 of chapter 60, of the laws of the Fifteenth General Assembly, with the report of committee recommending that the bill do pass, was taken up and considered and report of the committee was adopted, the rule was suspended, and the bill considered engrossed and read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Cleveland, Dodge, Everall, Gardiner, Gatch, Gobble, Kent, Mack, Mattoon, Oleson, Perry, Rich, Shields, Smith of Wapello, Stewart, Vale, Yeomans—17.

The nays were :

Senators Bailey, Conaway, Engle, Groneweg, Hager, Harmon, Jamison, Jewett, Kelly, Lewis, McCall, Parrott, Reiniger, Reynolds, Schmidt, Smith of Butler, Smith of Wright, Turner—18.

Absent or not voting:

Senators Andrews, Bishop, Bolter, Brower, Chantry, Dent, Finn, Funk, Green, Harsh, Hurst, Mosnat, Palmer, Perkins, Terry—15.

The bill not having received a constitutional majority was declared lost.

Senator Kelly filed a motion to reconsider the vote by which the bill was declared lost.

On motion of Senator Gatch, Senate file No. 393, a bill for an act to require the assessment of all taxable property at its cash market value, allowing certain deductions on account of indebtedness, to decrease the rates of levies in proportion to any consequent increase of taxable valuation and to further limit the power of counties and other political and municipal corporations to incur indebtedness, was taken up.

The bill having been engrossed was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Cleveland, Conaway, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Harsh, Kelly,

Kent, Lewis, Mack, McCall, Oleson, Perkins, Reiniger, Smith of Wright, Stewart, Vale, Yeomans—26.

The nays were:

Senators Bishop, Bolter, Brower, Chantry, Engle, Finn, Harmon, Hurst, Jamison, Jewett, Parrott, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Terry—18.

Absent or not voting:

Senators Green, Mattoon, Mosnat, Palmer, Shields, Turner—6.

Senator Green was excused from voting.

On motion of Senator Gatch, the title was amended by striking out the words, "allowing certain deduction on account of indebtedness."

So the bill passed and the title as amended was agreed to.

Senator Bishop explained his vote as follows :

"Believing the bill to be vicious in principle, and that if it becomes a law will result in decreasing the taxes of corporate property at the expense of the agricultural interests of the State. I vote "no."

L. H. BISHOP.

HOUSE BILLS.

Substitute for House file No. 370, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly.

Read first and second times and referred to Sifting Committee.

House file No. 492, a bill for an act to prevent the establishment and maintenance of places for the smoking of opium, and to punish violation thereof.

Read first and second times and referred to Sifting Committee.

INTRODUCTION OF BILLS.

By Senate Appropriation Committee, substitute for House file No. 393, a bill for an act to indemnify settlers on the Des Moines river school lands.

Read first and second times.

Senator Gatch moved to amend by adding after the words "Webster county," in section 1, "being lands falling within the limits of the Des Moines river land grant."

Adopted.

Senator Brower moved to substitute the committee substitute for the original bill.

The motion prevailed.

Senator Cleveland moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gobble, Green, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Smith of Butler, Smith of Wright, Turner, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Gatch, Groneweg, Harmon, Kent, McCall, Reiniger, Schmidt, Shields, Smith of Wapello, Stewart, Terry—12.

So the bill passed and the title was agreed to.

President *pro tem.* Kelly took the chair.

House file No. 139, a bill for act to amend chapter 17 of the acts of the Twenty-third General Assembly, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

The rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Dent, Dodge, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Wapello, Smith of Wright, Turner, Vale—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Bolter, Cleveland, Finn, Harmon, Mattoon, Oleson, Schmidt, Smith of Butler, Stewart, Terry, Yeomans—12.

So the bill passed and the title was agreed to.

Senator Gatch offered the following resolution and moved its adoption :

Resolved, That the secretary, first assistant and second assistant secretary are hereby directed and authorized to remain on duty, with reference to completing the reprinting of the Senate journal, as heretofore ordered by the Senate, and the printing of that portion of journal not printed at the time of final adjournment, for a period of three days, and that the President of the Senate certify to said secretary, first and second assistant secretaries, the present per diem of said officials for said three days, in full for said services of said secretaries in the work as above provided for said period.

Adopted.

Senator Smith of Wapello, offered the following resolution which was adopted:

Resolved, That the postmistress of the Senate be retained, under pay, for four days from date of adjournment, for the purpose of forwarding mail to the Senators.

Adopted.

House file No. 490, a bill for an act to amend section 1432 of the Code, as amended by chapter 76, laws of the Twenty-second General Assembly, to authorize the transfer of patients from one hospital for the insane to another, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perry moved that the rule be suspended, and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Lewis, Mattoon, Mosnat, Schmidt Shields—7.

So the bill passed and the title was agreed to.

Senate file No. 401, a bill for an act to legalize the incorporation of the town of Farley, Dubuque county, Iowa, and certain official proceedings of said town, was taken up and considered.

The rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Schmidt, Smith of Wright, Turner, Vale, Yeomans—39.

The nays were:

None.

Absent or not voting:

Senators Bishop, Harsh, Lewis, Mattoon, Reiniger, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry—11.

So the bill passed and the title was agreed to.

Senate file No. 377, a bill for an act to legalize the organization of the independent school district of Nassau, Prairie township, Keokuk county, the election of directors thereof and the voting of taxes therein, was taken up and considered.

On motion of Senator Andrews, House file No. 505, was substituted for Senate file No. 377.

The rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Dent, Dodge, Engle, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Jamison, Jewett, Kelly, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—38.

The nays were:

None.

Absent or not voting:

Senators Bishop, Cleveland, Everall, Finn, Groneweg, Harsh, Hurst, Kent, Lewis, Mosnat, Reiniger, Shields—12.

So the bill passed and the title was agreed to.

Senate file No. 391, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, Carroll county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Rich, House file No. 515 was substituted for Senate file No. 391.

The rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Jamison, Jewett, Kelly, Kent, Mack, McCall, Mattoon, Oleson, Palmer, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Groneweg, Harsh, Hurst, Lewis, Mosnat, Parrott, Reiniger, Shields, Smith of Wright—9.

So the bill passed and the title was agreed to.

Senator Dodge introduced the following resolution, and moved its adoption:

WHEREAS, During the late protracted illness of Senator Engle his volume of the Code of Iowa was taken from his desk and has never been returned.

Resolved, That the Secretary of State be directed to purchase for Senator Engle one copy of the Code of Iowa, the same as furnished other Senators,

Adopted.

House file No. 470, a bill for an act to legalize the plat and dedication of Johnston's addition to the incorporated town of Humboldt, Iowa, was taken up and considered.

Senator Mack moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Kelly, Kent, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Stewart, Terry, Turner, Vale—41.

The nays were:

None.

Absent or not voting:

Senators Brower, Jamison, Jewett, Lewis, Parrott, Reiniger, Smith of Butler, Smith of Wapello, Yeomans—9.

So the bill passed and the title was agreed to.

House file No. 475, a bill for an act legalizing the revised ordinances of the city of Knoxville, in Marion county, Iowa, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Perry moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conway, Dent, Dodge, Engle, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall,

Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Brower, Everall, Finn, Funk, Jamison, Kent, Reiniger, Shields—8.

So the bill passed and the title was agreed to.

Senator Parrott offered the following resolution and moved its adoption :

Resolved by the Senate, the House concurring : That a joint convention of the two Houses be held in the hall of the House on Tuesday evening, March 29th, 1892, at eight o'clock, for the purpose of electing six trustees for the Industrial Home for the Blind, located at Knoxville.

Adopted.

House file No. 517, a bill for an act legalizing an ordinance and proceedings of the town council of the town of Corning, Adams county, Iowa, held on the first day of June, 1880, vacating a certain street in said town, was taken up and considered.

Senator Smith of Wapello, moved that when the Senate adjourns that it do adjourn to meet at 2 o'clock this afternoon.

Carried.

The rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reynolds, Schmidt, Shields, Smith of Wapello, Stewart, Terry, Yeomans—37.

The nays were:

None.

Absent or not voting :

Senators Bishop, Finn, Funk, Hager, Jamison, Kent, Mosnat, Reiniger, Rich, Smith of Butler, Smith of Wright, Turner, Vale—13.

So the bill passed and the title was agreed to.

House file No. 488, a bill for an act to legalize an election held in Decatur City, Decatur county, Iowa, and the acts of the electors of said town in reviving the municipal government of same, was taken up and considered.

The rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Gardiner, Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Perkins, Perry, Reininger, Reynolds, Rich, Schmidt, Shields, Stewart, Terry, Turner, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Bishop, Funk, Green, Kent, Mosnat, Parrott, Smith of Butler, Smith of Wapello, Smith of Wright, Vale—10.

So the bill passed and the title was agreed to.

House file No. 42, a bill for an act to define the qualification of county superintendents of school, was taken up and considered.

The question being, "Shall the bill be read a third time to-morrow?"

Lost.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate files, in which the concurrence of the House was asked:

Senate file No. 383, a bill for an act to provide for a commission to studiously and carefully examine the revenue laws of the state and report necessary and desirable changes to the Twenty-fifth General Assembly.

Senate file No. 191, a bill for an act entitled an act creating in all cities of the first class, having a population according to any legally authorized census of more than 30,000 inhabitants, a board of public works and defining the duties and powers of its members.

Substitute for House file No. 139, a bill for an act to amend sections 995 and 4062 of the Code of 1873, relating to the extermination of thistles.

CHAS. BEVERLY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 499, a bill for an act to establish a school of mines for the State of Iowa.

CHAS. BEVERLY, *Chief Clerk.*

On motion of Senator Lewis, House file No. 15, a bill for an act to amend section 22 of chapter 28, acts of the Twenty-second General

Assembly, relating to reports to be made to the board of railroad commissioners was taken up and considered.

Senator Lewis moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On motion of Senator Lewis the hour of adjournment was extended ten minutes.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bolter, Brower, Chantry, Cleveland, Conaway, Engle, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Jamison, Jewett, Kelly, Lewis, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Reiniger, Reynolds, Schmidt, Smith of Wright, Vale—32.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bishop, Dent, Dodge, Gatch, Hurst, Kent, Mack, Perkins, Perry, Rich, Shields, Smith of Butler, Smith of Wapello, Stewart, Terry, Turner, Yeomans—18.

So the bill passed and the title was agreed to.

The following announcement was read by the secretary:

Hon. Hoyt Sherman, of Des Moines, desires to announce to the members of the Senate that there has just come into his possession a copy of a fine bust of Gen. Wm. T. Sherman, executed by the famous French sculptor, St. Gaudens, and that the same will be on public exhibition at Belknap's art store, on Walnut street, below Seventh, during to-day and to-morrow.

On motion of Senator Reiniger, the Senate adjourned to meet at 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate reconvened at 2 o'clock P. M., President Bestow presiding.

Senator Reynolds called up his resolution relative to House file No. 275, and moved its adoption.

The question now being upon the adoption of the resolution.

Carried.

Leave was granted Senator Funk to have his vote recorded on Senate file No. 15. He votes "aye."

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 390, a bill for an act to legalize the franchises of the Des Moines Water Power Company, and certain ordinances of the city of Des Moines, granting, defining and fixing said franchises.

Also, Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa.

Also, Senate file No. 185, a bill for an act to protect the public from "fraudulent pedigrees" of live stock.

Also, Senate file No. 363, a bill for an act making appropriation for the State library.

Also, substitute for Senate file No. 138, a bill for an act making an appropriation for Benedict Home, at Des Moines, Iowa.

Also, Senate file No. 260, a bill for an act to further provide for the erection of a State soldiers' and sailors' monument.

Also, Senate file No. 210, a bill for an act to define the residence of any ex-soldier, sailor or marine who may be discharged from the Iowa Soldiers' Home, and to fix liability of expenses in certain cases.

Also, Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected, three years.

Also, Senate file No. 192, a bill for an act appropriating funds for the support of the State Fish Commission.

Also, Senate file No. 287, a bill for an act providing for the support of the Iowa Weather and Crop Service, and the publication of an increased number of copies of the Monthly Review.

Also, Senate file No. 305, a bill for an act legalizing an ordinance of the city of Clinton, being chapter 163, and the authority therein and thereby granted to the Clinton Water Works Company to maintain, continue, improve and extend its water works in said city.

Also, Substitute for Senate file No. 40, a bill for an act to legalize certain acts of the Board of Supervisors of Wapello county, Iowa, in the submission to the people of the proposition to borrow money and issue bonds for the purchase of a court house site and the erection of a court house.

Also, Senate file No. 379, a bill for an act to legalize an ordinance of Iowa City granting to the Climax Electric Company, authority to erect poles and wires in the streets, alleys and public grounds of the city of Iowa City, for furnishing electric light and power, and legalizing all the acts of the officers of said city, and all the acts of said company performed under and by virtue of said ordinance.

Also, Senate file No. 199, a bill for an act to amend section 853, chapter 1, Title VI of the Code, relating to the lien of taxes between vender and vendee, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

House file No. 482, a bill for an act to extend the time of payment of the Orphans' Asylum at Andrew, Iowa, was taken up and considered.

Senator Hurst moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were :

Senators Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Engle, Everall, Funk, Gardiner, Gatch, Gobble, Groneweg, Hager, Harmon, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wapello, Terry, Turner, Vale, Yeomans—41.

The nays were:

None.

Absent or not voting:

Senators Andrews, Dodge, Finn, Green, Harsh, Perry, Smith of Butler, Smith of Wright, Stewart—9.

So the bill passed and the title was agreed.

House file No. 169, a bill for an act to amend chapter 31, laws of the Twenty-second General Assembly, relative to change of names of railway stations, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Terry moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner,

Gatch, Gobble, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Reiniger, Schmidt, Shields, Terry, Turner, Vale, Yeomans—40.

The nays were:

None.

Absent or not voting:

Senators Green, Jamison, Mosnat, Perry, Reynolds, Rich, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart—10.

So the bill passed and the title was agreed to.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 327, a bill for an act giving legislative assent to the purposes of the congressional acts of August 30, 1890, in regard to the more complete endowment and support of colleges for the benefit of agriculture and mechanic arts.

Also, Senate file No. 96, a bill for an act for the preservation of the health of female employees.

Also, Senate file No. 158, a bill for an appropriation for the better support of the State University in the several departments and chairs, and in the aid of the income fund, and for the development of the institution.

Also, Senate file No. 231, a bill for an act to legalize the official action of C. R. Wood, a notary public of Hancock county, Iowa.

Also, Senate file No. 38, a bill for an act granting additional powers to cities organized under special charters.

Also, Senate file No. 380, a bill for an act to legalize an ordinance of Iowa City, granting to the Iowa City Gas Light Company authority to lay pipes and erect lights in the streets, alleys and public grounds of the city of Iowa City, and legalizing all acts of the officers of said city, and all acts of said company performed under and by virtue of said ordinance.

Also, Senate file No. 362, a bill for an act to legalize the organization of the independent school district of Duncombe, in Webster county, Iowa, and the acts of the officers thereof.

Also, Senate file No. 93, a bill for an act making appropriation for an exhibit of the resources of the State of Iowa at the World's Columbian Exposition of 1893, to be held in the city of Chicago, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

House file No. 330, a bill for an act to abolish the office of township clerk and township trustees in certain cities, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

The rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Gardiner, Gobble, Groneweg, Hager, Harmon, Harsh, Hurst, Jewett, Kelly, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Wright, Terry, Turner, Vale—33.

The nays were:

Senators Bolter, Engle, McCall—3.

Absent or not voting:

Senators Bishop, Dodge, Everall, Finn, Funk, Gatch, Green, Jamison, Kent, Perry, Smith of Butler, Smith of Wapello, Stewart, Yeomans—14.

So the bill passed and the title was agreed to.

House file No. 379, a bill for an act to amend section 3, of chapter 34, of the acts of the Twenty-third General Assembly, relating to the protection of fish, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

The rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Brower, Dent, Hager, Harmon, Harsh, Lewis, Mack, Parrot, Perkins, Reiniger, Turner, Yeomans—12.

The nays were:

Senators Bailey, Bolter, Chantry, Cleveland, Conaway, Engle, Gobble, Groneweg, Hurst, Jamison, Jewett, Kelly, Kent, McCall, Mattoon, Mosnat, Oleson, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Vale—23.

Absent or not voting:

Senators Andrews, Bishop, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Green, Palmer, Perry, Shields, Smith of Wapello, Stewart, Terry—15.

So the bill, having failed to receive a constitutional majority, was declared lost.

House file No. 40, a bill for an act amending chapter 85, acts of the Twenty-second General Assembly, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

The rule was suspended, and the bill read a third time.

Senator Bolter took the chair.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bolter, Dent, Kent, Mattoon, Schmidt, Stewart, Terry, Vale—8.

The nays were:

Senators Bailey, Chantry, Conaway, Engle, Everall, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Lewis, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Reynolds, Smith of Wright, Turner—22.

Absent or not voting:

Senators Andrews, Bishop, Brower, Cleveland, Dodge, Finn, Funk, Gardiner, Gatch, Gobble, Green, Kelly, Mack, Perry, Reiniger, Rich, Shields, Smith of Butler, Smith of Wapello, Yeomans—20.

So the bill having failed to receive a constitutional majority, was declared to have been lost.

The members of the Sifting Committee were excused from attendance at this session.

MESSAGE FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, in which the concurrence of the House was asked:

Committee substitute for Senate file No. 64, a bill for an act to make an appropriation for the Hospital for the Insane at Mt. Pleasant, Iowa.

Senate file No. 299, a bill for an act to amend sections 2623 and 2624 of the Code, relating to notices to unknown defendants.

Senate file No. 374, a bill for an act for the better preservation of the colors, standards and battle flags carried by the Iowa regiments and batteries in the war of the rebellion.

Senate file No. 402, a bill for an act to amend an act entitled an act to establish a Board of Park Commissioners in certain cities of the first class.

Senate file No. 384, a bill for an act to appropriate money to procure for the Governor's rooms in the capitol a portrait of Ex-Governor Kirkwood.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, 1st Ass't Clerk.

Senate file No. 280, a bill for an act to establish additional normal schools, and to provide a commission to locate the same, with report of committee recommending a substitute, and that the substitute do pass, was taken up, considered, and the report of the committee was adopted.

On the question, "Shall the bill be engrossed and read a third time to-morrow?"

The yeas and nays were demanded.

The yeas were:

Senators Bishop, Chantry, Dent, Gobble, Harsh, Kelly, Mack, Palmer, Vale, Yeomans—10.

The nays were:

Senators Bailey, Bolter, Conaway, Engle, Everall, Funk, Green, Groneweg, Hager, Harmon, Jamison, Jewett, Lewis, McCall, Mattoon, Mosnat, Parrott, Perry, Reiniger, Rich, Smith of Wapello, Smith of Wright—22.

Absent or not voting:

Senators Andrews, Brower, Cleveland, Dodge, Finn, Gardiner, Gatch, Hurst, Kent, Mattoon, Oleson, Perkins, Reynolds, Schmidt Shields, Smith of Butler, Stewart, Turner—18.

So the bill failed of engrossment.

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Senate file No. 162, a bill for an act to provide for the teaching of vocal music in our public schools, with report of committee recommending amendments and as amended that the bill do pass, was taken up, considered and the report of the committee was adopted.

Senator Mack moved that the rule be suspended, and the bill be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Conaway, Dent, Harsh, Jewett, Mack, McCall, Oleson, Palmer, Reiniger, Reynolds, Smith of Wright—11.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Engle, Everall, Finn, Gardiner, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Lewis, Mattoon, Perry, Rich, Stewart, Terry, Turner—21.

Absent or not voting:

Senators Brower, Chantry, Cleveland, Dodge, Funk, Gatch, Gobble, Kelly, Kent, Mosnat, Parrott, Perkins, Schmidt, Shields, Smith of Butler, Smith of Wapello, Vale, Yeomans—18.

So the motion to suspend the rules was lost.

Senator Gardiner offered the following amendment:

In line 5, section "A," strike out "two" and insert "one" in lieu thereof; also strike out all after the word "grades" in the same line to the end of line 7. Strike out all of section B.

Adopted.

Senator Jewett moved to strike out section "F."

Adopted.

On the question, "Shall the bill be engrossed and read a third time to-morrow?"

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Chantry, Conaway, Dent, Finn, Gardiner, Jewett, Mack, McCall, Oleson, Palmer, Parrott, Reiniger, Reynolds, Smith, of Wright, Turner, Vale—17.

The nays were:

Senators Andrews, Bishop, Bolter, Dodge, Engle, Everall, Green, Groneweg, Hager, Harmon, Hurst, Jamison, Lewis, Perry, Rich, Terry—16.

Absent or not voting:

Senators Brower, Cleveland, Funk, Gatch, Gobble, Harsh, Kelly, Kent, Mattoon, Mosnat, Perkins, Schmidt, Shields, Smith of Butler, Smith of Wapello, Stewart, Yeomans—17.

So the bill failed of engrossment.

Senators Andrews and Terry are paired on all political questions until tomorrow morning.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed Senate concurrent resolution, in which the concurrence of the House was asked:

Relative to holding a joint convention of the two houses this evening, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa.

CHAS. BEVERLY, *Chief Clerk.*

per T. J. WILCOX, 2d Ass't.

Senator Smith of Wapello, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate file No. 287, a bill for an act providing for the support of the Iowa Weather and Crop Service, and the publication of an increased number of copies of the monthly review.

Also, Senate file No. 192, a bill for an act appropriating funds for the support of the State Fish Commission.

Also, Senate file No. 113, a bill for an act to make the time for which sub-directors of schools are elected three years.

Also, Senate file No. 210, a bill for an act to define the residence of any ex-soldier, sailor or marine who may be discharged from the Iowa Soldiers' Home, and to fix liability of expenses in certain cases.

Also, Senate file No. 199, a bill for an act to amend Section 853, Chapter 1, Title VI of the Code, relating to the lien of taxes between vender and vendee.

Also, Senate file No. 260, a bill for an act to further provide for the erection of a State Soldiers' and Sailors' Monument.

Also, Senate file No. 363, a bill for an act making appropriation for the State Library.

Also, Senate file No. 185, a bill for an act to protect the public from "fraudulent pedigrees" of live stock.

Also, Senate file No. 135, a bill for an act to legalize an ordinance of the city of Anamosa, Jones county, Iowa.

Also, Senate file No. 390, a bill for an act to legalize the franchises of the Des

Moines Water Power Company and certain ordinances of the city of Des Moines, granting, defining and fixing said franchises.

Also, Senate file No. 305, a bill for an act legalizing an ordinance of the city of Clinton, being chapter 163, and the authority therein and thereby granted to the Clinton Water Works Company to maintain, continue, improve and extend its water works in said city.

Also, Senate file No. 231, a bill for an act to legalize official action of C. R. Wood, a notary public of Hancock county, Iowa.

Also, Senate file No. 158, a bill for an act for an appropriation for the better support of the State University in the several departments and chairs, and in the aid of the income fund, and for the development of the institution.

Also, Senate file No. 96, a bill for an act for the preservation of the health of female employes.

Also, Senate file No. 93, a bill for an act making appropriation for an exhibit of the resources of State of Iowa at the World's Columbian Exposition of 1893, to be held in the city of Chicago.

Also, Senate file No. 362, a bill for an act to legalize the organization of the independent school district of Duncombe, in Webster county, Iowa, and the acts of the officers thereof.

Also, Senate file No. 379, a bill for an act to legalize an ordinance of Iowa City, granting to the Climax Electric Light Company, authority to erect poles and wires in the streets, alleys and public grounds of the city of Iowa City, for furnishing electric light and power, and legalizing all the acts of the officers of said city, and all the acts of said company performed under and by virtue of said ordinance.

Also, substitute for Senate file No. 40, a bill for an act to legalize certain acts of the board of supervisors of Wapello county, Iowa, and the submission to the people of the proposition to borrow money, and issue bonds for the purchase of a court house site and the erection of a court house.

Also, Senate file No. 327, a bill for an act giving legislative assent to the purposes of the Congressional acts of August 30, 1890, in regard to the more complete endowment and support of colleges for the benefit of agriculture and mechanic arts.

Also, Senate file No. 380, a bill for an act to legalize an ordinance of Iowa City, granting to the Iowa City Gas Light Company authority to lay pipes and erect lights in the streets, alleys and public grounds of the city of Iowa City, and legalize all acts of the officers of said city and all acts of said company, performed under and by virtue of said ordinance.

Also, Senate file No. 38, a bill for an act granting additional powers to cities organized under special charters.

Also, Senate file No. 138, a bill for an act making an appropriation for Benedict Home at Des Moines, Iowa.

J. J. SMITH, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House file No. 481, a bill for an act to repeal chapter 46, acts of the Twenty-third General Assembly.

House file No. 527, a bill for an act to re-imburse the members and heirs of the Second and Third Iowa infantry regiments for grey uniforms.

Also that the House has passed Senate file No. 77, a bill for an act making an appropriation for the claim of J. P. Bushnell & Co., preparing, publishing and distributing 5,000 copies of Iowa Resources and Industries at the World's Fair in 1885.

CHAS. BEVERLY, *Chief Clerk.*

PER D. H. SCOTT, *First Assistant.*

Senate file No. 387, a bill for an act to apportion the state into senatorial districts was taken up and considered.

Senator Bolter moved that further consideration of this bill be postponed until to-morrow, and that it be considered the first thing in the morning, and that immediately after its consideration Senate file No. 386, be taken up and considered.

Carried.

Senator Andrews moved that the Senate do now adjourn.

Senator Mack moved to amend by fixing the hour at 7:30 o'clock this evening.

The amendment was adopted.

The question now being upon the motion to adjourn as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bolter, Brower, Dent, Dodge, Engle, Everall, Finn, Green, Hager, Hurst, Jamison, Mattoon, Oleson, Perkins, Perry, Reynolds, Rich, Schmidt—19.

The nays were:

Senators Bailey, Bishop, Cleveland, Conaway, Funk, Gardiner, Gatch, Gobble, Groneweg, Harmon, Harsh, Jewett, Kelly, Kent, Lewis, Mack, McCall, Palmer, Parrott, Reiniger, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Terry, Turner, Vale—27.

Absent or not voting:

Senators Chantry, Mosnat, Stewart, Yeomans—4.

So the motion to adjourn was lost.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the following schedule of bills for the consideration of the Senate to be taken up in the order herein placed: Senate file No. 370; Senate file No. 47; House file No. 83; House file No. 112; House file No. 459; Senate file No. 240; House file No. 439; House file No. 106; Senate file No. 313; House file No. 159; Senate file No. 345; Senate

file No. 314; House file No. 414; House file No. 114, and that your committee will hereafter make further report.

M. J. KELLY, *Chairman*.

Ordered passed on file.

HOUSE BILLS.

House file No. 478, a bill for an act to amend section 515, of the Code, giving additional police force to incorporated towns.

Read first and second times and referred to Sifting Committee.

House file No. 527, a bill for an act to reimburse the members and heirs of members of the Second and Third regiments for gray uniforms.

Read first and second times and referred to Sifting Committee.

House file No. 451, a bill for an act to amend section one (1), chapter twenty-one (21) of the laws of the Twenty-third General Assembly.

Read first and second times and referred to Sifting Committee.

House file No. 481, a bill for an act to repeal chapter 44, acts of the Twenty-third General Assembly.

Read first and second times, and referred to Sifting Committee.

INTRODUCTION OF BILLS.

By Senator Conaway, by request, Senate file No. 403, a bill for an act to legalize the acts of the election of the independent district of Oskaloosa, Iowa.

Read first and second times and referred to Sifting Committee.

By Senator Chantry, Senate file No. 404, a bill for the relief of James T. Ward.

Read first and second times and referred to Sifting Committee.

Senator Mack moved that when the Senate do adjourn, that it adjourn to meet at 7:30 o'clock this evening.

Carried.

Senate file No 277, a bill for an act to amend section 1, of chapter 158, laws of the Twenty-first General Assembly, relative to salary of messenger in the State library, with report of committee recommending amendments, and that as amended the bill do pass, was taken up, considered, and the report of the committee was adopted.

The rule was suspended, and the bill considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Dent, Dodge, Everall, Finn, Funk, Gardiner, Gatch, Gobble,

Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Vale, Yeomans—43.

The nays were:

None.

Absent or not voting:

Senators Conaway, Engle, Jewett, Mosnat, Reynolds, Rich, Turner,—7.

On motion of Senator Dent, the title was amended by striking out the word "messenger" and inserting "third assistant librarian."

So the bill passed and the title, as amended, was agreed to.

Senate file No. 370, a bill for an act to amend section 3, chapter 148, acts of the Twenty-third General Assembly, relative to the salary of the custodian, with report of committee recommending that the bill do pass, was taken up, considered and the report of the committee was adopted.

The question now being "Shall the rule be suspended, and the bill be considered engrossed and read a third time now."

The yeas were :

Senators Bishop, Cleveland, Dent, Dodge, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Yeomans—18.

The nays were :

Senators Andrews, Bailey, Bolter, Brower, Chantry, Conaway, Engle, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Palmer, Parrott, Perkins, Reiniger, Rich, Smith of Wapello, Smith of Wright, Terry, Vale—25.

Absent or not voting :

Senators Everall, Kent, Mattoon, Mosnat, Oleson, Rich, Turner—7.

So the motion to suspend the rules was lost.

The question now being "Shall the bill be engrossed and read a third time to-morrow?"

On this the yeas and nays were demanded.

The yeas were:

Senators Cleveland, Dent, Dodge, Everall, Gardiner, Gatch, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Perry, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Vale—19.

The nays were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Conaway, Engle, Finn, Funk, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, Palmer, Parrott, Perkins, Reiniger, Smith of Wapello, Smith of Wright, Terry—24.

Absent or not voting :

Senators McCall, Mattoon, Mosnat, Oleson, Rich, Turner, Yeomans—7.

So the bill failed of engrossment.

REPORT OF COMMITTEE.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 441, a bill for an act appropriating funds to pay the administrator of the estate of William W. Belknap, and Amanda T. Belknap, his widow, for services rendered in connection with the collection of the direct war tax.

Also, House file No. 182, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa, and find the same correctly enrolled.

J. J. SMITH, *Chairman*.

On motion of Senator Bolter, the Senate adjourned to meet at 7:30 o'clock this evening.

EVENING SESSION.

The Senate met pursuant to adjournment at 7:30 o'clock P. M., President Bestow presiding.

REPORTS OF COMMITTEES.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matter before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the following schedule of bills for the consideration of the Senate, to be taken up in the order herein placed: House file No. 478, Senate file No. 372, House file No. 390, House file No. 236, Senate file No. 227, and that your committee will make further report hereafter.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 86, a bill for an act amending chapter one hun-

dred and thirty-four (134) of the acts of the Twenty-first General Assembly, and to increase the number of district judges in the Fourth judicial district.

Also, House file No. 111, a bill for an act requiring owners of osage orange hedge fences to keep the same trimmed along the public highways and railroads.

Also, House file No. 166, a bill for an act for the relief of W. H. Shaw.

Also, House No. 423, a bill for an act to legalize the incorporation of the town of Pierson, county of Woodbury, and State of Iowa.

Also, House file No. 152, a bill for an act to provide for a geological survey of the State of Iowa.

Also, Senate file No. 375, a bill for an act to authorize the loan of certain arms and accoutrements to military schools and colleges in the State of Iowa.

Also, committee substitute for Senate file No. 143, a bill for an act making appropriations for the Industrial Home for the Blind.

Also, Senate substitute for House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices; to regulate the manner of holding elections; and to enforce secrecy of the ballot.

Also, Senate file No. 299, a bill for an act to amend sections 2623 and 2624, chapter 6, Title XVII of the Code, relating to notice to unknown defendants.

Also, Senate file No. 20, a bill for an act to promote historical collections in the Capitol of the State.

And find the same correctly enrolled.

J. J. SMITH, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, in which the concurrence of the House was asked:

Senate file No. 161, a bill for an act to make an appropriation for the annual payment of the water rates of the Soldiers' Orphans' Home, and Home for Indigent Children at Davenport, Iowa.

Also, Committee substitute for Senate file No. 208, a bill for an act to repeal section 4042 of the Code of 1873, and provide a substitute therefor, and to enlarge the duties and powers of the State dairy commissioner, and to provide an appropriation therefor.

Also, Senate file No. 85, a bill for the relief of Wilber McCabe.

Also, Senate file No. 112, a bill for an act to repeal sections 1487 and 1488 of the Code and enact a substitute therefor.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following, in which the concurrence of the Senate is asked:

That the House has amended and passed Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors and providing their duties. The amendments to this bill are as follows:

By striking out the word "recommended by said petitions" in lines four and five of printed bill, section 1, and by striking out all of sections 5 and 6, and substituting new sections therefor.

Also, that the house has refused to concur in Senate amendment to section 18, House appropriation committee substitute for House file No. 522, relative to the

amount appropriated for the use of the commissioner of labor statistics; also that the house has concurred in the other amendment to said substitute for House 51 No. 522.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, First Ass't.

On motion of Senator Reiniger, the bills reported by the Sifting Committee at this evening's session were ordered put on tomorrow's calendar.

Senator Stewart moved that the amendments by the House to Senate file No. 267 be concurred in.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bishop, Brower, Cleveland, Conaway, Everall, Funk, Gobble, Green, Groneweg, Harmon, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Chantry, Dent, Dodge, Engle, Finn, Gardiner, Gatch, Hager, Harsh, Hurst, McCall, Shields, Smith of Wapello, Yeomans—16.

So the Senate concurred in the House amendments.

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

Whereupon the Senate adjourned to meet the House in joint convention.

JOINT CONVENTION,

the Senators filed in and took seats on the east side of the House Chamber.

Lieut.-Governor Bestow took the chair as President of the joint convention.

Roll call showed the following members present:

Messrs. Addie, Austin, Bailey, Beach, Beem, Bishop, Bitterman, Boise, Briggs, Britt, Brooks of Boone, Brower, Bruce, Carpenter, Carter, Castle, Chamberlin, Chase, Cleveland, Coffin, Coonley, Conaway, Crawford, Cunningham, Doane, Dodge, Dolph, Drewry, Ellickson, Everall, Felkner, Flanagan, Fuhrmeister, Gardner of Washington, Gilbert, Gillman, Gitchell, Glattly, Gobble, Green, Groneweg, Guinn, Harmon, Harriman, Haselton, Hinman, Hipwell, Holiday, Holland, Hoover, Hornish, Horton, Jamison, Jay, Jester, Jewett, Jewell, John-

ston, Jones, Kasa, Kelly, Kent, Lewis of Wayne, Linderman, Louis of Shelby, McCann, McNeeley, Mack, Marti, Mattoon, Miller, Mitchell, Moore, Morison, Morrow, Mosnat, Nemmers, Norris, Oleson, Palmer, Parrott, Patterson, Penney, Perkins, Perry, Potter, Reiniger, Reynolds, Rich, Robinson, Saberson, Schmidt, Schultz, Schrooten, Sharpnack, Sells, Shriver, Smith of Butler, Smith of Kossuth, Smith of Wright, Sowers, Spaulding, Springer, Steen, Stewart, Stillmunkes, Stone, Stuntz, Terry, Turner, Vale, Van Gilder, Ware, Warren, Watkins, Welch, Wilken, Williams, Wyckoff, Yeomans, Yost—122.

A quorum being present the president announced the objects of the convention.

Senator Bailey was chosen teller on behalf of the Senate and Representative Robinson on behalf of the House.

Senator Parrott offered the following and moved its adoption:

Be it resolved by the Senate and House of Representatives of Iowa, in joint convention assembled:

That the following named persons are hereby declared to be duly elected trustees of the Industrial Home for the Blind at Knoxville, to-wit:

Lorana Mattice, Benton county, two years.

John Killen, Clayton county, two years.

Robert Colbert, Union county, four years.

L. T. Richmond, Monroe county, four years.

J. H. Nichols, Hardin county, six years.

John B. Elliott, Marion county, six years.

On the question, shall the resolution be adopted?

Those voting for the resolution were:

Messrs. Addie, Austin, Bailey, Beach, Beem, Bitterman, Boise, Briggs, Britt, Brooks of Boone, Brower, Bruce, Campbell, Carpenter, Carter, Castle, Chamberlin, Chase, Cleveland, Coffin, Conaway, Coonley, Crawford, Cunningham, Dayton, Doane, Dodge, Dolph, Drewry, Ellickson, Everall, Felkner, Flanagan, Fuhrmeister, Funk, Gardiner of Washington, Gilbert, Gillman, Gitchell, Glattly, Gobble, Green, Groneweg, Guinn, Harmon, Harriman, Haselton, Hinman, Hipwell, Holiday, Holland, Hoover, Hornish, Jamison, Jay, Jester, Jewell, Johnston, Jones, Kasa, Kent, Lane, Lewis of Wayne, Linderman, Louis of Shelby, McCann, McNeeley, Mack, Marti, Mattoon, Miller, Mitchell, Moore, Morison, Morrow, Mosnat, Nemmers, Norris, Oleson, Palmer, Parrott, Patterson, Penney, Perkins, Perry, Potter, Reiniger, Reynolds, Robinson, Saberson, Schrooten, Schultz, Sells, Sharpnack, Shriver, Smith of Butler, Smith of Kossuth, Smith of Wright, Sowers, Spaulding, Springer, Steen, Stewart, Stillmunkes, Stone, Stuntz, Terry, Turner, Vale, Van Gilder, Ware, Warren, Watkins, Welch, Wilken, Williams, Wilson, Wyckoff, Yost—119.

The yeas were:

None.

Those absent or not voting were:

Messrs. Andrews, Bishop, Bolter, Brooks of Audubon, Chantry, Clark, Dent, Ellis, Engle, Finn, Gardiner of Clinton, Gatch, Goodwin, Hager, Harsh, Hart, Horstman, Horton, Hurst, Jewett, Kelly, McCall, Rich, Richman, Schmidt, Shields, Smith of Wapello, Smyth, Spearman, Yeomans, Young—31.

So the resolution was adopted, and the persons named therein were declared elected and the following certificates of election were signed in open House by the President of the Senate and Speaker of the House and attested by the tellers:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Tuesday, March 29th, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, Robert Colbert, of Union county, having received a majority of all the votes cast for said office, was declared duly elected trustee of said Home for the term of four years, from and after the first Monday of May, 1892, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW

President of the Senate.

W. O. MITCHELL,

Speaker of House of Representatives.

ATTEST:

A. K. BAILEY,

Teller of Senate.

C. H. ROBINSON,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Tuesday, March 29, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, John B. Elliott, of Marion county, having received a majority of all the votes cast for said office was declared duly elected trustee of said Home for the term of four years, from and after the first Monday of May, 1892, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW,

President of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

A. K. BAILEY,

Teller of Senate.

H. ROBINSON,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Tuesday, March 29, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, L. T. Richmond, of Monroe county, having received a majority of all the votes cast for said office, was declared duly elected trustee of said Home for the term of six years, from and after the first Monday of May, 1892, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW,

President of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

Attest:

A. K. BAILEY,

Teller of Senate.

C. H. ROBINSON,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES. }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention, on Tuesday evening, March 29, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, J. H. Nichols, of Hardin county, having received a majority of all the votes cast for said office, was declared duly elected trustee of said Home for the term of six years from and after the first day of May 1892, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW,

President of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

A. K. BAILEY,

Teller of Senate.

C. H. ROBINSON,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Tuesday, March 29, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, John Killen, of Clayton county, having received a majority of all the votes cast for said office, was declared duly elected trustee of said Home for the term of two years, from and after the first Monday of May, 1892, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW,

President of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

A. K. BAILEY,

Teller of Senate.

C. H. ROBINSON,

Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1892. }

This is to certify that at an election by the two houses of the Twenty-fourth General Assembly of the State of Iowa, in joint convention on Tuesday, March 29th, A. D. 1892, for the purpose of electing trustees for the Industrial Home for the Blind at Knoxville, Iowa, Lorana Mattice, of Benton county, having received a majority of all the votes cast for said office, was declared duly elected trustee of said Home for the term of two years from and after the first Monday of May, 1892, and until her successor is elected and qualified.

Signed in the presence of the joint convention this 29th day of March, 1892.

S. L. BESTOW,

President of the Senate.

W. O. MITCHELL,

Speaker House of Representatives.

ATTEST:

A. K. BAILEY,

Teller of Senate.

C. H. ROBINSON,

Teller of House of Representatives.

Senator Parrott offered the following and moved its adoption:

Resolved, That the clerk of the joint convention be and is hereby directed to deliver the certificates of the persons declared elected by this joint convention, to the Governor not later than Wednesday, March 30, at 10 o'clock A. M.

Motion prevailed.

The minutes of the joint convention were read and approved.

On motion of Senator Chantry the joint convention dissolved.

After the joint convention the Senate reconvened at 8:45 o'clock.

Senator Rich filed a motion to reconsider the vote by which Senate file No. 15 was declared to have passed the Senate.

Senate file No. 47, a bill for an act to amend section 906, of the Code of 1873, relating to licening peddlers, with report of committee recommending a substitute, and that said substitute do pass, was taken up, considered, and the report of the committee was adopted.

Senator Lewis moved to amend by inserting between the words, "groceries" and "lightning rods," in line three, section 1, the words, "buggies and spring wagons."

Adopted.

Senator Kelly moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Cleveland, Funk, Gobble, Groneweg, Harmon, Jamison, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Perkins, Perry, Reiniger, Rich, Smith of Wright, Stewart—21.

The nays were:

Senators Bishop, Chantry, Conaway, Finn, Jewett, Parrott, Reynolds, Smith of Butler, Terry, Turner, Vale—11.

Absent or not voting:

Senators Andrews, Bolter, Brower, Dent, Dodge, Engle, Everall, Gardiner, Gatch, Green, Hager, Harsh, Hurst, McCall, Schmidt, Shields, Smith of Wapello, Yoemans—18.

The bill not having received a constitutional majority, was declared lost.

On motion of Senator Groneweg, House file No. 83, a bill for an act to change the name of the Iowa Institution for the Education of the Deaf and Dumb to the Iowa School for the Deaf.

Bill taken up and considered.

Senator Groneweg moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bailey, Bishop, Chantry, Cleveland, Conaway, Everall, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Harmon, Jamison, Jewett, Kelly, Kent, Lewis, Mack, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale—34.

The nays were:

None.

Absent or not voting:

Senators Andrews, Bolter, Brower, Dent, Dodge, Engle, Gatch, Hager, Harsh, Hurst, McCall, Rich, Schmidt, Shields, Smith of Wapello, Yeomans—16.

So the bill passed and the title was agreed to.

Senator Perry explained his vote as follows:

"I vote for this bill more out of deference to the wishes of local friends of the institution than of the conviction that the proposed change of name is the best thing to be done."

T. B. PERRY.

Senator Perry moved that the Senate do now adjourn until 9 A. M. to-morrow.

Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 30, 1892. }

Senate met in regular session at 9 o'clock A. M., President Bestow presiding.

Prayer by Rev. W. A. Black of Des Moines, Iowa.

Senator Smith, of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 490, a bill for an act to amend section 1432 of the Code, as amended by chapter 76, laws of the Twenty-second General Assembly to authorize the transfer of patients from one hospital for the insane to another.

Also, House file No. 470, a bill for an act to legalize the plat and dedication of Johnston's addition to the incorporated town of Humboldt, formerly of Springvale, Iowa.

Also, House file No. 504, a bill for an act to legalize ordinance No. 75 of the city of Clarinda, Page county, Iowa, granting to the Clarinda Electric Light and Power Company, the right and privilege to construct, maintain and operate electric works in the city of Clarinda, an ordinance No. 77, of said city of Clarinda, amending the said ordinance No. 75.

Also, House file No. 505, a bill for an act to legalize the organization of the Independent School District of Nassau, No. 4, of Prairie township, Keokuk county, Iowa, the election of directors thereof and the voting of taxes therein.

Also, House file No. 475, a bill for act legalizing the revised ordinances of the city of Knoxville, in Marion county, Iowa.

Also, House file No. 139, a bill for an act to amend chapter No. 17 of the acts of the Twenty-third General Assembly.

Also House file No. 510, a bill for an act to legalize certain ordinances of the incorporated town of Samwood, Cedar county, and all acts done in pursuance of said ordinances.

Also, House file No. 515, a bill for an act to legalize the ordinances passed by the council of the incorporated town of Breda, in Carroll county, Iowa.

Also, House file No. 169, a bill for an act to amend chapter 31, of the laws of the Twenty-second General Assembly, relative to change of name of railway station.

Also, House file No. 517, a bill for an act to legalize an ordinance and proceedings of the town council of the town of Corning, Adams county, Iowa, held on the first day of June, 1880, vacating a certain street in said town, and find the same correctly enrolled.

J. J. SMITH, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bill, in which the concurrence of the Senate is asked:

House file No. 334, a bill for an act in regard to the damages incident to railroad crossings on the same level.

CHAS BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, 1st Asst.

HOUSE MESSAGE.

House file No. 334, a bill for an act in regard to the dangers incident to railroad crossings on the same level.

Read first and second times and referred to Sifting Committee.

Senate file No. 387, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties, according to the number of inhabitants in each, and dividing the State into Senatorial districts, was taken up and considered.

Senator Finn moved that the rule be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Cleveland, Conaway, Dent, Everall, Finn, Funk, Gatch, Hager, Harmon, Harsh, Jamison, Jewett, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Stewart, Terry, Turner, Vale—35.

The nays were:

Senators Bishop, Smith of Wapello, Yeomans—3.

Absent or not voting:

Senators Bolter, Dodge, Engle, Gardiner, Gobble, Green, Groneweg, Hurst, Kelly, Kent, Rich, Smith of Wright—12.

So the bill passed and the title was agreed to.

Senator Reiniger offered the following resolution:

Resolved, That House messages shall have the preference in the consideration of the business of the Senate during the remainder of the session.

Senator Kelly moved to lay the resolution upon the table.

Lost.

The question now being upon the adoption of the resolution offered by Senator Reiniger.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Brower, Chantry, Conaway, Finn, Grone-
weg, Hager, Harmon, Harsh, Jewett, Lewis, McCall, Oleson, Palmer,
Parrott, Perkins, Reiniger, Reynolds, Rich, Smith of Butler, Smith
of Wapello, Smith of Wright, Turner, Vale—25.

The nays were:

Senators Bishop, Dent, Everall, Gatch, Gobble, Green, Jamison,
Kelly, Kent, Schmidt, Shields, Stewart, Yeomans—13.

Absent or not voting:

Senators Bolter, Cleveland, Dodge, Engle, Funk, Gardiner, Hurst,
Mack, Mattoon, Mosnat, Perry, Terry—12.

So the resolution having failed to receive a two-thirds majority, was
declared to have been lost.

On motion of Senator Conaway, Senate file No. 404, a bill for an
act to legalize the acts of the electors of the independent district of
Oskaloosa, Iowa, was taken up and considered.

Senator Conaway moved that the rules be suspended, and the bill
be considered engrossed and read a third time now, which motion pre-
vailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleve-
land, Conaway, Dent, Everall, Funk, Gatch, Gobble, Green, Grone-
weg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent,
Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Per-
kins, Perry, Reynolds, Rich, Schmidt, Smith of Butler, Smith of
Wapello, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans.
—44.

The nays were:

None.

Absent or not voting:

Senators Dodge, Engle, Finn, Gardiner, Reiniger, Shields—6.

So the bill passed and the title was agreed to.

Senator Rich withdrew his motion to reconsider the vote by which
Senate file No. 15 passed the Senate.

Senator Smith of Wapello, from Committee on Enrolled Bills,
submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that
they have examined Senate file No. 160, a bill for an act making appropriations
to the State Agricultural College.

Also, Senate file No. 335, a bill for an act to legalize the organization and official
proceedings of the independent school district of Callender, in Webster county,
Iowa.

Also, Senate file No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell and Company for preparing and publishing and distributing five thousand copies of "Iowa Resources and Industries" at the World's Fair in 1885.

Also, Senate file No. 191, a bill for an act amending section 1 of chapter 1 of the acts of the Twenty-second General Assembly entitled "an act creating in all cities of the first class, having a population according to any legally authorized census of more than thirty thousand inhabitants, a board of public works and defining the powers and duties of its members.

Also, Senate file No. 237, a bill for an act to authorize the executive council to employ the services of the Iowa State Band.

Also, Senate file No. 383, a bill for an act to provide a commission to studiously and carefully examine the revenue laws of the State, and report necessary and desirable changes to the Twenty-fifth General Assembly.

Also, Senate file No. 374, a bill for an act for the better preservation of the colors, standards and battle flags carried by the Iowa regiments and batteries in the war of the Rebellion.

Also, Senate file No. 381, a bill for an act providing an appropriation for conducting the office of the State dairy commissioner and paying the expenses thereof.

Also, Senate file No. 139, a bill for an act to amend sections 995 and 4062 of the Code of 1873, relative to the extermination of thistles.

Also, Senate file No. 384, a bill for an act to appropriate money to procure for the Governor's room in the Capitol a portrait of ex-Governor Samuel J. Kirkwood.

Also, Senate file No. 402, a bill for an act to amend an act entitled, "An act to establish a board of park commissioners in certain cities of the first class, defining their powers and prescribing their duties." Passed March 24, 1892, and approved March 25, 1892.

Also, Senate file No. 64, a bill for an act making an appropriation for the Hospital for the Insane at Mount Pleasant, Iowa.

Also, Senate file No. 317, a bill for an act making appropriation for the Soldiers' Home at Marshalltown, Iowa.

Also, Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors and prescribing their duties.

Also, Senate file No. 161, a bill for an act making an appropriation for the annual payment of water-rates of the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Also, Senate joint resolution No. 1, joint resolution and memorial of the General Assembly of the State of Iowa, to the Congress of the United States, in reference to the election of United States Senators by a direct vote of the people.

Also, Senate file No. 112, a bill for an act to repeal sections 1487 and 1488 of the Code, and enact substitutes therefor.

Also, Senate file No. 85, a bill for an act for the relief of Wilber McCabe.

Also, Senate file No. 208, a bill for an act to repeal section 4042 of the Code of 1873, and provide a substitute therefor, and to enlarge the duties and powers of the State dairy commissioner, and to provide a substitute therefor.

Also, substitute for House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices; to regulate the manner of holding elections; and to enforce secrecy of the ballot.

Also, Senate file No. 20, a bill for an act to provide for historical collections in the capitol of the State.

Also, substitute for Senate file No. 143, a bill for an act making appropriations for the Industrial Home for the Blind.

Also, Senate file No. 375, a bill for an act to authorize the loan of certain arms and accoutrements to military schools and colleges in the State of Iowa.

Also, Senate file No. 299, a bill for an act to amend sections No. 2623 and 2624, chapter 6, Title XVII, of the Code, relating to notice to unknown defendants.

Also, substitute for House file No. 46, a bill for an act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices; to regulate the manner of holding elections; and to enforce secrecy of the ballot.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following House bills, in which the concurrence of the Senate is asked:

House substitute for Senate file No. 337, a bill for an act to provide for compensation for Samuel N. Parsons, acting secretary of the Senate.

CHAS. BEVERLY, *Chief Clerk*,

per D. H. SCOTT, *1st Ass't Clerk*.

Senator Smith of Wapello moved that House file No. 275 be recalled from the Sifting Committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bishop, Bolter, Everall, Funk, Hager, Harsh, Kelly, Lewis, Mattoon, Palmer, Perry, Reynolds, Smith of Butler, Smith of Wapello, Terry, Vale—17.

The nays were:

Senators Bailey, Brower, Conaway, Dent, Finn, Gardiner, Gatch, Gobble, Groneweg, Harmon, Hurst, Jamison, Kent, Mack, McCall, Oleson, Parrott, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Wright, Stewart, Turner—25.

Absent or not voting:

Senators Chantry, Cleveland, Dodge, Engle, Green, Jewett, Mosnat, Yeomans—8.

Motion lost.

President *pro tem*. Kelly took the chair.

House file No. 112, a bill for an act to amend section 1182 of the Code, and exempting funds realized from life insurance from debts, with report of committee recommending that the bill do pass, was taken up, considered, and the report of the committee was adopted.

Senator Mosnat moved that the rule be suspended and the bill be

read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Chantry, Cleveland, Dent, Everall, Funk, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Shields, Smith of Butler, Turner, Vale, Yeomans—35.

The nays were:

None.

Absent or not voting:

Senators Bishop, Brower, Conaway, Dodge, Engle, Finn, Gardiner, Kent, Mattoon, Palmer, Schmidt, Smith of Wapello, Smith of Wright, Stewart, Terry—15.

So the bill passed and the title was agreed to.

House file No. 560, a bill for an act to compensate Samuel N. Parsons, as acting secretary of the Senate, was taken up and considered.

Senator Cleveland moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Dent, Dodge, Everall, Funk, Gardiner, Gatch, Gobble, Green, Hager, Harmon, Harsh, Hurst, Jamison, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wapello, Smith of Wright, Stewart, Terry, Turner, Yeomans—43

The nays were:

None.

Absent or not voting:

Senators Chantry, Conaway, Engle, Finn, Groneweg, Jewett, Vale—7.

So the bill passed and the title was agreed to.

Senator Reiniger offered the following resolution, which was adopted:

Resolved, That the Secretary of the Senate be and is hereby instructed to mail each Senator a copy of the corrected journal of the Senate, printed after adjournment of the General Assembly, and that the executive council furnish the Secretary the necessary postage for that purpose.

Senator Cleveland, House file No. 522, a bill for an act appropriating money for additional help for the Labor Commissioner, was taken up and considered.

The question being, "Shall the Senate recede from its amendment adopted to said bill, in which the House has refused to concur?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Chantry, Cleveland, Conaway, Finn, Funk, Gardiner, Gobble, Green, Groneweg, Hager, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mattoon, Mosnat, Oleson, Palmer, Parrott, Perry, Reiniger, Reynolds, Rich, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Turner—39.

The nays were:

Senators Dent, Dodge—2.

Absent or not voting:

Senators Engle, Everall, Gatch, Harmon, Perkins, Smith of Wapello, Terry, Vale, Yeomans—9.

So the Senate receded from its amendment in which the House refused to concur.

President Bestow took the chair.

House file No. 459, a bill for an act to amend section 9, chapter 65, of the acts of the Twenty-first General Assembly, was taken up and considered.

Senator Mack moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass."

The yeas were:

Senators Bailey, Chantry, Cleveland, Conaway, Dent, Dodge, Funk, Gardiner, Gatch, Gobble, Hager, Harman, Harsh, Hurst, Kent, Lewis, Mack, Mattoon, Oleson, Palmer, Perkins, Reiniger, Reynolds, Shields, Smith of Butler, Smith of Wright, Stewart, Turner, Yeomans—29.

The nays were:

Senators Bolter, Engle, Finn, Groneweg, Perry—5.

Absent or not voting:

Senators Andrews, Bishop, Brower, Everall, Green, Jamison, Jewett, Kelly, McCall, Mosnat, Parrott, Rich, Schmidt, Smith of Wappelo, Terry, Vale—16.

So the bill passed and the title was agreed to.

On motion of Senator Dent, the Senate took a recess, subject to the call of the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bills, in which the concurrence of the House was asked:

Senate file No. 277, a bill for an act to amend section 1, chapter 158, of the laws of the Twenty-first General Assembly.

Committee substitute for Senate file No. 130, a bill for an act to make an appropriation for the Soldiers' Orphans' Home at Davenport.

Committee substitute for Senate file No. 79, a bill for an act making an appropriation for the Hospital for the Insane at Independence, Iowa.

Committee substitute for Senate file No. 226, a bill for an act making an appropriation for the Hospital for the Insane at Clarinda, Iowa.

Committee substitute for Senate file No. 185, a bill for an act making an appropriation for the Institute for the Deaf and Dumb at Council Bluffs, Iowa.

Committee substitute for Senate file No. 142, a bill for an act making an appropriation for the Institute for the Feeble-Minded Children at Glenwood, Iowa.

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, 1st Ass't.

Senate reconvened at 11:20 A. M., President Bestow in the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, in which the concurrence of the House was asked:

Senate file No. 317, a bill for an act to amend chapter 18 of the laws of the Twenty-third General Assembly..

CHAS. BEVERLY, *Chief Clerk.*

per D. H. SCOTT, First Assistant.

REPORTS OF COMMITTEES.

Senator Kelly, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the following schedule of bills for the consideration of the Senate, in the order here placed: House file 334, 150, and House file 207; and that your committee will hereafter make further report.

M. J. KELLY, *Chairman.*

Also:

MR. PRESIDENT—Your special committee, to whom was referred the bills and other matters pending before the Senate, beg leave to submit their final report, returning to the custody of the Senate all bills heretofore referred to this commit-

tee and not heretofore specially reported to the Senate, there being no time for their consideration nor necessity for arranging calendar work for the Senate.

M. J. KELLY, *Chairman*.

Ordered passed on file.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House file No. 518, substitute for a bill for an act to extend the time for paying the indebtedness of the Orphans' Asylum at Andrew, Iowa.

Also, House file No. 488, a bill for an act to legalize an election held in Decatur City, Decatur county; and the acts of the electors of said town in reviving the municipal government of said town.

Also, House file No. 15, a bill for an act to amend section No. 22 of chapter 28, of the acts of the Twenty-second General Assembly, relating to reports to be made to the board of railroad commissioners.

Also, House file No. 179, a bill for an act to abolish the office of township clerk and township trustees in certain cities.

Also, Senate file No. 133, a bill for an act to amend the Military Code and to increase the efficiency of the National Guard.

And find the same correctly enrolled.

J. J. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file No. 85, a bill for an act for the relief of Wilber McCabe.

Also, joint resolution No. 1, joint resolution and memorial of the General Assembly of the State of Iowa, to the Congress of the United States, in reference to the election of United States Senators by a direct vote of the people.

Also, Senate file No. 112, a bill for an act to repeal sections 1487 and 1488 of the Code and enact substitutes therefor.

Also, Senate file No. 267, a bill for an act to provide for the appointment of sheep inspectors and prescribing their duties.

Also, Senate file No. 261, a bill for an act making an appropriation for the annual payment of the water-rates of the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Also, substitute for Senate file No. 208, a bill for an act to repeal section 4042, of the Code of 1875, and provide a substitute therefor, and to enlarge the duties and powers of the State dairy commissioner, and to provide an appropriation therefor.

Also, Senate file No. 191, a bill for an act amending section 1; of chapter 1, of the acts of the Twenty-second General Assembly, entitled, "An act creating in all cities of the first class having a population according to any legally authorized census of more than thirty thousand inhabitants, a board of public works, and defining the powers and duties of its members."

Also, Senate file No. 239, a bill for an act to authorize the executive council to employ the services of the Iowa State Band.

Also, Senate file No. 384, a bill for an act to appropriate money to procure for the Governor's rooms in the capitol a portrait of Ex-Governor Samuel J. Kirkwood.

Also, Senate file No. 402, a bill for an act to amend an act entitled an act to establish a board of park commissioners in certain cities of the first class, defining

their powers and prescribing their duties, passed March 24, 1892, and approved March 25, 1892.

Also, Senate file No. 317, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa.

Also, committee substitute for Senate file No. 64, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, Iowa.

Also, Senate file No. 333, a bill for an act to provide a commission to studiously and carefully examine the revenue laws of the State and report necessary and desirable changes to the Twenty-fifth General Assembly.

Also, Senate file No. 374, a bill for an act for the better preservation of the colors, standards and battle flags carried by the Iowa regiments and batteries in the war of the rebellion.

Also, Senate file No. 331, a bill for an act providing an appropriation for conducting the office of the State Dairy Commissioner, and for paying the expenses thereof.

Also, Senate file No. 139, a bill for an act to amend sections 995 and 4062 of the Code of 1875, relative to the extermination of thistles.

Also, Senate file No. 335, a bill for an act to legalize the organization and official proceedings of the independent school district of Callender in Webster county, Iowa.

Also, Senate file No. 77, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing 5,000 copies of Iowa Resources and Industries at the World's fair in 1885.

Also, substitute for Senate file No. 160, a bill for an act making appropriations for the State Agricultural college.

J. J. SMITH, *Chairman.*

The following

MESSAGE FROM THE GOVERNOR.

was received:

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, IOWA, March 30, 1891. }

MR. PRESIDENT—I am directed by the Governor to return to your honorable body, Senate file No. 323, with his objections.

CLIFFORD D. HAM,
Private Secretary.

Senator Kelly moved that the Governor's veto message be printed in to-day's journal.

Carried.

THE GOVERNOR'S VETO.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, March 30, 1892. }

To the Senate of the State of Iowa:

I herewith return to your body in which it originated, an act entitled, "An act to protect the makers of negotiable instruments in certain cases," together with my objections thereto, which make it seem to me a duty to withhold my approval thereof. There are at least two of these objections that seem conclusive against

the bill. One presents a question of constitutional power, the other of legislative policy. The fourteenth amendment to the constitution of the United States, among other things provides: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

Among the most valued and essential of natural rights is the right of competent persons to enter into contracts the performance of which is not detrimental to the public's welfare. That a contract made by persons in one place to be by mutual agreement performed in another, which can by no possibility effect the public at large, nor even an individual, outside of the parties making it, is not subject to the objection that it is in conflict with public policy or detrimental to public interests is a proposition too plain to require elaboration by argument.

If this act is within the powers conferred upon the legislature, then laws may be made which would deprive every citizen of the right to make any contract in regard to any matter to be performed in a place other than that in which it was made, and the reverse of this would be true that he could with equal facility be deprived of the right to provide that his contract should be performed at the place where made, and be compelled to seek other jurisdictions to accomplish its enforcement.

When the right of the legislature is conceded to interfere to this extent with the natural right of all men to make their own contracts in their own way in relation to any legitimate transaction in which they engage, there is left no restriction upon its powers to nullify the natural right of all citizens to transact any business that requires the assent of two or more contracting parties.

These objections are intensified when in acts, like that in question, legislative bodies undertake to single out particular classes of individuals engaged in particular lines of business, and limit their power to make contracts of a specified kind, while the laws concede to all persons engaged in other lines of business the full right to make identically the same kind of contracts in the transaction of every other kind of business.

Clearly such an act both "abridges the privileges and immunities of citizens" and denies to those affected thereby "the equal protection of the laws."

The second objection is not less conclusive, to my mind. By the provisions of this act a transaction relating to at least one branch of business absolutely essential to the proper conduct of many of the most important industries of the country between parties competent to contract, however fairly and understandingly made, is, so far as one of the parties is concerned, converted into a felony, punishable by imprisonment in the State's prison, while the other party to the same transaction, without whose assent and voluntary participation the offense could not have been committed, is shielded from all liability.

A more serious objection even than this, is found in the fact that an act innocent in itself, devoid of even moral turpitude; that invades no public or private right of a human being other than those engaged in it; that is fully and fairly understood by both of the contracting parties; that may at least be equally beneficial to both, is converted into a heinous crime, a conviction of which may cause the infliction of penalties too appallingly serious to be considered in connection with acts such as are forbidden by this bill.

It is impossible for me to contemplate the punishment provided thereby, for acts so harmless to the public, so slightly injurious, if injurious at all, to the individ-

uals sought to be protected, without feeling that the consequences of such penalties have not received the consideration due so grave a subject, and I have, therefore, hastened to return the same with these necessarily poorly digested objections thereto, that such action may be taken, before the adjournment of your body, as may be thought advisable by the members thereof.

HORACE BOIES.

Senator Kelly moved that Senate file No. 423, this being the bill that was just returned to the Senate with the Governor's veto, be put upon its passage.

On the question, shall the bill be passed over the Governor's veto?
Senator Bolter took the chair.

The yeas were:

Senators Bolter, Cleveland, Engle, Everall, Finn, Hager, Harsh, Jewett, Kelly, Lewis, Mack, McCall, Parrott, Reynolds, Smith of Butler, Smith of Wright—16.

The nays were:

Senators Andrews, Bishop, Brower, Chantry, Conaway, Dent, Dodge, Gardiner, Gatch, Gobble, Green, Groneweg, Harmon, Hurst, Jamison, Kent, Mattoon, Mosnat, Oleson, Palmer, Perry, Reiniger, Rich, Schmidt, Shields, Stewart, Terry, Turner, Vale, Yeomans—30.

Absent or not voting:

Senators Bailey, Funk, Perkins, Smith of Wapello—4.

So the Governor's veto was sustained.

On motion of Senator Reiniger, House file No. 384, a bill for an act to re-apportion the State into representative districts, and to declare the ratio of representation, was taken up and considered.

Senator Gobble moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Chantry, Cleveland, Conaway, Dent, Dodge, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Groneweg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Rich, Smith of Butler, Terry, Turner, Vale—41.

The nays were:

Senators Smith of Wright, Yeomans—2.

Absent or not voting:

Senators Brower, Kent, Mattoon, Schmidt, Shields, Smith of Wapello, Stewart—7.

So the bill passed and the title was agreed to.

Senator Gatch introduced the following resolution and moved its adoption:

Resolved: That to the retiring Lieutenant Governor, S. L. Bestow, this Senate most heartily extends its thanks for his able and satisfactory administration of the onerous duties of his high office.

That his uniform courtesy to the senators personally, entitles him to our lasting and grateful remembrance and our most cordial good wishes for his future happiness and prosperity.

Resolved: That as a further mark of respect to Lieutenant Governor Bestow the Senate hereby presents to him the chair he has occupied, and the gavel used by him during his term of office as President of the Senate.

Adopted.

Senator Mack offered the following resolution, and moved its adoption:

Resolved, That the thanks of the Senate be, and are hereby returned to the secretary, assistant secretaries, enrolling and engrossing clerks of the Senate for the efficient manner with which they have performed the duties of their several offices, and the courteous attention given to each member of the Senate in the discharge of the same.

Adopted.

Senator Mack offered the following resolution, and moved its adoption:

Resolved, That the thanks of this Senate are extended to Hon. M. J. Kelly for the satisfactory, courteous and impartial manner in which he has performed the duties of president *pro tem* of the Senate.

Adopted.

On motion of Senator Gobble, House file No. 414, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly, in relation to local boards of health, was taken up and considered.

Senator Gobble moved that the rule be suspended, and the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bishop, Bolter, Brower, Cleveland, Conway, Dent, Engle, Everall, Finn, Funk, Gatch, Gobble, Green, Grone-weg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kelly, Kent, Lewis, Mack, McCall, Mosnat, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—44.

The nays were:

None.

Absent or not voting:

Senators Chantry, Dodge, Gardiner, Mattoon, Rich, Smith of Wapello—6.

So the bill passed and the title was agreed to.

Senator Reiniger offered the following concurrent resolution, and moved its adoption:

Resolved by the Senate, the House concurring, That a committee of two be appointed to act with a like committee on the part of the House, to inform the Governor that the General Assembly is now ready to adjourn without date, and ascertain if he has any further communication to make to the General Assembly before adjournment.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill, in which the concurrence of the House was asked:

Senate file No. 387, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into Senatorial districts.

CHARLES BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, *1st Asst.*

On motion of Senator Turner, House file No. 451, a bill for an act to amend section 1, chapter 21, acts of the Twenty-third General Assembly, was taken up for consideration.

Senator Turner moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Andrews, Bailey, Bolter, Brower, Cleveland, Conaway, Dent, Engle, Everall, Finn, Funk, Gardiner, Gatch, Gobble, Green, Grone-weg, Hager, Harmon, Harsh, Hurst, Jamison, Jewett, Kent, Lewis, Mack, McCall, Oleson, Palmer, Parrott, Perkins, Perry, Reiniger, Reynolds, Schmidt, Shields, Smith of Butler, Smith of Wright, Stewart, Terry, Turner, Vale, Yeomans—42.

The nays were:

None.

Absent or not voting:

Senators Bishop, Chantry, Dodge, Kelly, Mattoon, Mosnat, Rich, Smith of Wapello—8.

So the bill passed and the title agreed to.

MESSAGE FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following Senate bill in which the concurrence of the House was asked:

Senate file No. 403, a bill for an act to legalize the acts of the electors of the independent district of Oskaloosa, Iowa.

Also, Senate file No. 401, a bill for an act to legalize the incorporation of the town of Farley, Dubuque county, Iowa, and certain official proceedings of said town.

CHAS. BEVERLY, *Chief Clerk.*

Per D. H. SCOTT, 1st Ass't.

On the part of the Senate, the Lieutenant Governor appointed Senators Shields and Harmon to wait upon the Governor to ascertain whether or not he has any further information to communicate to the Twenty-fourth General Assembly before the final adjournment.

Senator Dent moved that the Senate do now take a recess, to reconvene at the call of the President.

On this the yeas and nays were demanded.

The yeas were:

Senators Andrews, Bailey, Bolter, Cleveland, Conaway, Dent, Everall, Finn, Funk, Gardiner, Gatch, Green, Hager, Hurst, Jamison, Jewett, Mosnat, Parrott, Perkins, Rich, Schmidt, Shields, Stewart, Terry, Yeomans—25.

The nays were:

Senators Brower, Gobble, Groneweg, Harmon, Harsh, Kelly, Lewis, Mack, McCall, Palmer, Reiniger, Reynolds, Turner, Vale—14.

Absent or not voting:

Senators Bishop, Chantry, Dodge, Engle, Kent, Mattoon, Oleson, Perry, Smith of Butler, Smith of Wapello, Smith of Wright—11.

So the motion prevailed, and a recess was ordered.

Senate reconvened, President Bestow in the chair.

By leave, Senate file No. 400 was withdrawn by Senator Lewis.

Senator Smith of Wapello, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined committee's substitute for Senate file No. 226, a bill for an act making appropriations for the Hospital for the Insane at Clarinda, Iowa.

Also, committee's substitute for Senate file No. 130, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Also, committee's substitute for Senate file No. 155, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Also, Senate file No. 277, a bill for an act to amend section 1, of chapter 158, of

the laws of the Twenty-first General Assembly, relative to the salary of third assistant librarian in the State library.

Also, Senate file No. 79, a bill for an act making appropriations for the Hospital for the Insane at Independence.

Also, substitute for Senate file No. 142, a bill for an act making appropriations for the Institute for Feeble Minded Children at Glenwood, Iowa.

Also, Senate file No. 387, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

Also, Senate file No. 307, a bill for an act to amend chapter 18 of the laws of the Twenty-third General Assembly.

Also, House file No. 83, a bill for an act to change the name of the Iowa Institution for the Education of the Deaf and Dumb to the Iowa School for the Deaf.

Also, House file No. 112, a bill for an act to amend Section 1182 of the Code of 1873, and exempting funds realized from life insurance from debts.

Also, House file No. 337, a bill for an act to provide compensation for Samuel N. Parsons, acting secretary of the Senate.

Also, Senate file No. 403, a bill for an act to legalize the acts of the electors of the independent district of Oskaloosa, Iowa.

Also, Senate file No. 401, a bill for an act to legalize the incorporation and the official proceedings of the town of Farley in the county of Dubuque, and State of Iowa.

Also, House file No. 451, a bill for an act to amend section one (1), chapter twenty-one (21) of the laws of the Twenty-third General Assembly of the State of Iowa.

Also, House file No. 459, a bill for an act to amend section 9, chapter 65, acts of the Twenty-first General Assembly.

Also, House file No. 180, a bill for an act to amend chapter 151, acts of the Eighteenth General Assembly in relation to the local boards of health.

Also, House file No. 522, a bill for an act making an appropriation for the payment of state and judicial officers, and certain expenses of General Assembly and other bills.

Also, House file No. 384, an act to apportion the state into representative districts and declaring the ratio of representation, and find the same correctly enrolled.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day, presented to the Governor for his approval:

Senate file No. 79, a bill for an act making appropriations for the Hospital for the Insane at Independence.

Also, Senate file No. 387, a bill for an act to amend section 1 of chapter 158, of the laws of the Twenty-first General Assembly, relative to the salary of the third assistant librarian in the State Library.

Also, substitute for Senate file No. 142, a bill for an act making appropriation for the Institute for Feeble Minded Children at Glenwood, Iowa.

Also, Senate file No. 307, a bill for an act to amend chapter 18 of the laws of the Twenty-third General Assembly.

Also, Senate file No. 403, a bill for an act to legalize the acts of the electors of the independent district of Oskaloosa, Iowa.

Also, Senate file No. 401, a bill for an act to legalize the incorporation and the official proceedings of the town of Farley, in the county of Dubuque, and State of Iowa.

Also, Senate file No. 133 a bill for an act to amend the military code and to increase the efficiency of the National Guard.

Also, substitute for Senate file No. 226, a bill for an act making appropriations for the Hospital for the Insane at Clarinda, Iowa.

Also, substitute for Senate file No. 130, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Also, committee substitute for Senate file No. 155. a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Also, Senate file No. 277, a bill for an act to amend section 1 of chapter 158 of the laws of the Twenty-first General Assembly, relative to salary of third assistant librarian in the State Library.

J. J. SMITH, *Chairman*.

MR. PRESIDENT—Your committee appointed to notify His Excellency, the Governor of Iowa, that the Senate is about to adjourn *sine die* has performed that duty, and reports that the Governor has no further communication or messages to the Senate.

M. W. HARMON, *Chairman*.

Lieutenant-Governor Bestow made a few closing remarks to the Senate, after which, the hour of 12:30 o'clock P. M., having arrived the President declared the Senate adjourned *sine die*.

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ERRATA.

On page vii: S. F. 13 is said to have passed on page "292." The correct page is "294." Also the motion concerning S. F. 8 is found on page "286" instead of "282."

On page ix: S. F. 64 is said to have been reported with substitute on page "516." The correct page is "516b."

On page x: S. F. 70 is said to have been reported engrossed on page "486." The correct page is "485."

On page xi: S. F. 101 is said to have been reported on page "276." The correct page is "270."

On page xii: S. F. 130 is said to have been reported on page "516," and passed H. R. on page "604." The correct pages are "516b" and "697," respectively.

On page xiv: S. F. 160 is said to have been reported with substitute on page "516." The correct page is "516b." Also the substitute for S. F. 166 is said to have been read twice and referred on page "575." The correct page is "515." Also in index to S. F. 175 the following should be inserted: "Reported, 240."

On page xv: S. F. 194 is said to have been introduced and referred on page "156." The correct page is "150."

On page xvii: S. F. 240 is said to have been reported on page "336." The correct page is "356."

The bill requiring United States flags to be placed on all school buildings in the State of Iowa should be numbered "228."

On page xviii: S. F. 249 is said to have been referred on page "208." The correct page is "209." Also S. F. 260 is said to have been introduced and referred on page "210." The correct page is "208."

On page xx: S. F. 321 is said to have been reported on page "493." The correct page is "473."

On page xxii: S. F. 364 was introduced and referred on page "438."

On page xxiii: S. F. 374 is said to have been reported on page "649." The correct page "630." Also the second bill numbered "374" should be numbered "S. F. 375," and same was introduced by "Bolter," instead of "Butler."

On page xxv: Senate Joint Resolution No. 14 is said to have been presented to the Governor on page "360." The correct page "300." Also Senate Concurrent Resolution, by Brower, relative to accepting invitation to visit the State University, is said to have been considered on page "252." The correct page is "152."

On page xxvii: House File numbered "48" should be numbered "47."

On page xxix: H. F. 215 is said to have been read twice, considered and passed on page "629." The correct page is "624." Also H. F. 225 is said to have been reported enrolled on page "630." The correct page is "620." Also H. F. 226 was read twice and referred on page "263"; reported with substitute on page "370" instead of "320."

On page xxxi: H. F. 402 is said to have been reported on page "297." The correct page is "397." Also H. F. 445 was reported from the sifting committee on page "650." Also the last four lines of index to H. F. 446 should be stricken out. Also the H. F. numbered "457" should be numbered "451." Also H. F. 470 is said to have been received on page "397," read twice and referred on page "448," and reported enrolled on page "699." The correct pages are "597," "648" and "690," respectively. Also in index to H. F. 448, the number "638" should be omitted. Also H. F. 480 was received on page "594," instead of page "584."

On page xxxii: H. F. 490 is said to have been received on page "544" and read twice and referred on page "550." The correct pages are "540" and "554," respectively. The substitute for H. F. 482 should be numbered "518," instead of "578."

On page xxxiv: S. F. 327, relative to endowment of Agricultural College, is said to be chapter "64" of session laws of Twenty-fourth General Assembly. The correct chapter is "61."

On page 19: In second line of resolution relative to Journal Clerks, the word "Elected" is omitted.

On page 23: In second line of Senator Mack's resolution relative to Clerk for Lieutenant-Governor the word "so" should be inserted before the word "taken."

On page 30: In line three the word "were" should be "was."

On page 94: The words "Senator Perkins explains his vote" should precede his explanation; the words "Senator Bailey explains his vote" should precede his explanation, and the words "Senator Mack explains his vote" should precede his vote.

On page 95: In second line of the title to Senate File No. 122, the word "living" should be "serving." Insert after the word "action" in second line of title to Senate File 123 the words "School board."

On page 106: In first line of resolution offered by Senator Mack the word "House" should be "Senate." And after the said resolution the word "Adopted" should be inserted.

On page 125: After the 14th line on the page the following should be inserted: "By Senator Smith of Wapello, Senate File No. 174, a bill for an act to increase the number of judges in the Second Judicial District.

"Read first and second times and referred to Committee on Congressional and Judicial Districts."

"By Senator Reynolds, Senate File No. 175. A bill for an act to provide for the intervention by the State in proceedings and suits wherein it may be asserted that the constitution of the State or any amendment thereto has not been legally adopted, and to provide a method of procedure when a party desires to question the validity of the State constitution or any amendment thereto.

"Read first and second times and referred to Committee on Judiciary."

On page 130: House Joint Resolution No. 2 as amended by the report of the Committee on Federal Relations, should precede the report of the Committee on Appropriations.

On page 137: In report of the Committee on Retrenchment and Reform the word "Speaker" should be "President."

On page 138: The third line on the page should have been omitted, being surplusage.

On page 150: The words "liability of" should be inserted after the word "define" in third line in title to Senate File No. 190.

On page 157: At bottom of page should be inserted: "House File 69, read twice and referred to Committee on Judiciary."

On page 187: The word "Speaker" in second "Message from the House" should be "President."

On page 200: In the Message from the House "House File No. 5" should be "House File No. 7."

On page 220: In report of Committee on Schools the number "180" should be "1807."

On page 221: In Message from the House "House File No. 226" should read "House File No. 225."

On page 226: The bill relative to the World's Columbian Exposition and the report of the special committee thereon were re-referred to Committee on Appropriations instead of being passed on file.

On page 228: After the reference of Senate File No. 284 the following should be inserted: "By Senator Gobble, Senate File No. 285, a bill for an act to amend chapter 74, of the laws of the Twentieth General Assembly.

"Read first and second times and referred to Committee on Cities and Towns."

On page 263: Should be inserted the first and second reading and reference of House Files 23, 47, 79 and 226.

On page 269: In first report of Committee on Ways and Means the number "183" should be inserted as number of Senate File in lieu of "83." Also near bottom of page, the figures "10" in second line of report of Committee on Judiciary should be "103."

On page 280: In first line on the page the number of the Senate File should be "320" instead of "323."

On page 287: After the word "Senator" in third line from the bottom insert the words "Smith of."

On page 289: In second line of the title to Senate File 324 the word "purchase" should be "franchise."

On page 300: In report of Committee on Enrolled Bills Senate File No. "16" should read "Senate File No. 76."

On page 317: The number "268" in report of Committee on Highways near the middle of the page should be "218."

On page 352: The numbers of the House Files at top of the page should be "283" instead of "116;" "250" instead of "146," and "333" instead of "216."

On page 368: Near bottom of the page the word "House" appearing in first line of report of Committee on Military should be "Senate."

On page 373: Near bottom of the page "House File No. 72" should read "House File No. 79."

On page 385: After the word "Insurance" in first line under the subject, "Introduction of Bills," insert the words, "substitute for."

On page 390: Near bottom of page, "House File No. 137" should read, "House File No. 130."

On page 405: Insert the word "Adopted," near the top of the page, after the paragraph marked "Sec. 19."

On page 413: Near middle of page, "House File No. 391" should read, "House File No. 427."

On page 420: Insert the number "360" in lieu of "350." in first line on page.

On page 427: At top of the page, in second line of the report of the Committee on Highways, "No. 211" should be inserted in lieu of "No. 206."

On page 450: Near top of page, "Senate File No. 28" should read, "Senate File No. 238."

On page 461: Page is erroneously numbered "361."

On page 462: In report of Committee on Judiciary, near middle of page, the report should read, "House File No. 102," instead of "House File No. 36."

On page 468: The second word in the ninth line on the page should be "Brower," instead of "Brown."

On page 372: Under the subject, "Introduction of Bills," the following should be inserted: "By Senator Dent, Senate File No. 370, a bill for an act to amend section three of chapter one hundred and forty-eight, acts of the Twenty-first General Assembly, relative to the salary of the custodian."

"Read first and second times and referred to Committee on Compensation of Public Officers."

On page 476: The word "Senate" should precede line 17 on the page.

On page 486: In the last report of the Committee on Railways found on said page, the bill reported on should be "House File No. 427," instead of "House File No. 391."

On page 501: After the introduction of Senate File No. 375, near middle of the page, should be inserted the words, "Read first and second times."

On page 514: After the introduction of Senate Files 379 and 380, should be inserted the words, "Read first and second times and referred to the Committee on Judiciary." Also after introduction of Senate File 381 should be inserted the words, "Read first and second times."

On page 534: At top of page the title to the first House Bill should read: "House File No. 439, a substitute for House File No. 251."

On page 599: Below middle of page, the report of the Committee on Judiciary should be upon *Senate File No. 28*, instead of upon *House File No. 28*.

On page 600: The first report of the Committee on Judiciary should be upon House File No. 172, instead of upon House File No. 173.

On page 617: In the first line under the subject, "Introduction of Bills," should be inserted after the word "Shields" the following words and figures, "Senate File No. 308."

On page 621: In the report of the Committee on Enrolled Bills at the top of page, the report should read "House File No. 258" instead of "Senate File 258."

On page 624: Near top of page, all references to "House File No. 213" should be to "House File No. 215."

On page 638: In second House Message, House File No. 577 should read: "House File No. 517."

In third House Message, House File No. 125 should read: "House File No. 152."

On page 339: In House Message, Senate File 383 should read: "Senate File 380."

On page 645: In the third line of Senator Jamison's explanation of his vote, the word "injust" should be "unjust." Also in the sixth line of the same explanation the word "clause" should be "class."

On page 649: The first word in line twelve on said page should be "House" instead of "Senate."

On page 652: After the word "for" in the first line under the subject, "Introduction of Bills," insert the words, "An act to amend."

On page 668: In first House Message on said page "substitute for House File No. 139" should be "substitute for Senate File No. 139."

On page 674: In eleventh line from the bottom of said page the words "substitute for" should precede the word "Senate," the word "file" should be "files," and the following numbers should precede the number "280," to-wit: "14, 22, 140, 141, 195, 278."

On page 692: In line fourteen the number "401" should be "403."

On page 697: In first line House Message the committee substitute for Senate File No. 185 should be "Committee substitute for Senate File No. 155."

On page 697: The second House Message should be on Senate File No. "307," instead of Senate File "317."

On page 698: In line sixteen should be inserted, after the word "Also," the following: "House File No. 330, substitute for." In line seventeen from the bottom of page the number "261" should be "161." In line six from bottom of page the number "239" should be "237."

On page 701: In line seven on said page the number "423" should be "323." In line twenty-four the number "384" should be "386."

On page 705: In line seventeen, before the number "337," insert the figures and words: "560, substitute for House File."

On page 708 (Index): Appropriation bill for relief of Samuel N. Parsons, should be "337" instead of "387." Also there should be inserted under "Appropriations—Bill for," the following: "Relief of James F. Ward, Senate File 404."

On page 709: Under the subject, "Ballots," the words and figures: "Senate File 299" should read, "Senate Files 7 and 99."

On page 712: The bill for the relief of John L. Brown is "Senate File 392." Also the bill legalizing the ordinance affecting the Cedar Rapids Electric Light and Power Company should be "Senate File 324," instead of "House File 324."

On page 713: Should be inserted the following: "Chassell, W. R.—Elected temporary Assistant Secretary—page 2."

On page 714: The record of nomination of Wm. Coalson is said to be on page "22." The correct page is "20." Also the bill to amend section 277 of Code is Senate File "220" instead of 222." Also there should be inserted between the twelfth and thirteenth lines from bottom of page the following: "814, Senate File 373."

On page 715: The name "Robert Colbert" should be "Robert Colbert."

On page 716: Under report of Committee on Enrolled Bills the number "555" should be "515."

On page 717: Senator Conaway is said to have been excused on page "363." The correct page is "362." Also under "presents petitions" the number "569" should be "567."

On page 718: The number of bill providing for publishing the proceedings of the Dairymen's Association is "106."

On page 718: Mr. O. M. Dunbar was elected trustee of Agricultural College on page 327.

On page 721: The twelfth line from top of page should be stricken out.

On page 723: The number "25" opposite the word "Reports" in fourth line from bottom of page should be "26."

On page 724: Senator Hager is said to have been paired on page "26." The correct page is "25."

On page 725: Senator Harsh is said to have presented a petition on page "225." The correct number is "255."

On page 726: Under "House of Representatives, messages from," the number "585" should be "586."

On page 728: Under "Joint convention for electing officers of State institutions" the number "314" should be "324."

On page 729: Senator Kelly is said to have presided on page "405." The correct page "404." In the reference to the appointment of Senator Kent on the sifting committee, the page is given "6, 16," but should be "616."

On page 731: Under the subject "Live Stock, punishing malicious injury to" the number of the Senate File should be "44," instead of "54."

On page 732: Senator Mack is said to have offered a resolution on page "105." The correct page is "106." Also Senator Mattoon is said to have presented a petition on page "649." The correct page is "549."

On page 734: A petition for the increase of the efficiency of the National Guard is said to have been presented on page "489." The correct page is "189." Also the word "judgment" in the tenth line from the bottom should be "judicial."

On page 736: The word "furnishes" in the fourth line from top of page should be "furnished." Also in last line on the page the number "217" should be "219."

On page 739: Geo. H. Ragsdale is said to have been re-elected State Printer on page "336." The correct page is "326."

On page 740: Senator Reiniger is said to have offered a resolution on page "315." The correct page is "314."

On page 741: In line twenty-two, the number "104" should be "107."

On page 747: The State Printer is said to have been elected on page "336." The correct number is "326."

On page 748: In line nineteen, the number "14" should be "4." Also in line twenty-four, the number "211" should be "24."

On page 749: In line seven, the number "31" should be "21." Also in line ten, the number "203" should be "313." Also in line nineteen, the number "267" should be "268."

On page 751: Under "Viaducts, relative to construction of by railways," should be added "Senate File 201." Also, ,

